密勒氏評論報

THE CHINA WEEKLY REVIEW

Formerly Millard's Review

中華郵政特准掛號立券之報紙

Registered at the Chinese Post Office as a Newspape for transmission with special marks privileges in Chin

VOLUME XXVII — SHANGHAI, CHINA, SATURDAY, JANUARY 5, 1924 — NUMBER 6

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Cable Address "REVIEWING SHANGHAI"

PUBLISHED AT NO. 4 AVENUE EDWARD VII, SHANGHAI CHINA, BY MILLARD PUBLISHING COMPANY, INCORPORATED BY THE LAWS OF THE STATE OF DELAWARE, UNITED STATES OF AMERICA.

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YEARLY SUBSCRIPTION, FIFTY-TWO ISSUES, TEN DOLLARS (CHINESE CURRENCY) IN ADVANCE, POSTAGE INCLUDED, IN CHINA AND JAPAN. IN THE UNITED STATES AND FOREIGN COUNTRIES SEVEN DOLLARS AND FIFTY CENTS U. S. CURRENCY REMITTANCE FROM OTHER COUNTRIES THAN CHINA AND THE U S CAN BE MADE BY INTERNATIONAL MONEY ORDER. ENTERED AS SECOND-CLASS MATTER IN THE CHINESE POST OFFICE AT SHANGHAI IN MAY 1917.

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COMMUNICATIONS PERTAINING TO SUBSCRIPTIONS OR ADVERTISING IN CHINA SHOULD BE ADDRESSED TO THE CHINA WEEKLY REVIEW AT 4 AVENUEEDWARD VII, SHANGHAI, CHINA. TELEPHONE CENTRAL 4741. CABLE ADDRESS "REVIEWING SHANGHAI."

AMERICAN OFFICE
WORLD WIDE NEWS ASSOCIATION
303 Fifth Avenue, New York City
Telephone: Lexington 5300 :: Cable Ad.: Scholzem, N. Y.
PACIFIC COAST OFFICES (World Wide News Association)
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NOW FOR THE SELECTION OF THE PRIZE PEACE PLAN

THE contest for a best and most practical peace plan for China announced by the *Review* several weeks ago closed on Monday of this week and as soon as the various manuscripts can be translated into English, they will be sent to the judges for consideration and a decision. More than 100 manuscripts were received and over half of them are in the Chinese language. They range from one or two pages to bulky volumes and although the names of the various contributors are not known, rumor has it that several well known thinkers on Chinese problems both foreigners and Chinese have given the matter their attention and have submitted manuscripts. The competition has had its humorous phases in spite of the fact that the selection of a plan for settling the internal troubles of China is a most serious matter. One writer in Hongkong said that a peace plan for China was not necessary and gave his suggestion in one sentence, "Banish Dr. Sun Yat Sen from the country," while another writer residing in Peking, a Chinese, recommended the turning over of the administration of the government for a term of years to foreigners. A contributor residing in Changsha said that he would not take the trouble to write out a peace plan but sent along a book of several hundred pages phich he had purchased in a book-shop entitled, "A Guide to Morality." According to this writer if everybody followed the principles of morality outlined in this book there would be peace without a definite plan. Still another writer living in Shantung Province said it was presumptuous for the *Review*, an American publication, to hold a contest for a peace plan. "All China needs," he said, "is a leader. If we can get the right kind of a leader, he will have his own peace plan and everyone will agree to it and there will be general happiness and contentment." Of course the best part of the whole matter is that the contest has had the desired effect intended in causing a considerable number of persons to direct their thoughts in the direction of some practical and workable plan for a solution of the internal deadlock. The fact that a considerable number of persons have thought seriously enough on the subject to devote considerable time and effort to the writing of manuscripts is most encouraging and in this connection we reprint here a letter received last week from one of the readers of the *Review*, Mr. Yang Chen Fong.

"It seems to me that a Practical Peace Plan for China is a personal one—at least to the enlightened. All geniune patriots should make themselves responsible for the birth of a real solid peace plan for his own land. No doubt, China's peace concerns more with the Chinese, and, I dare

say, equally as much with foreigners (whether in China or abroad). Above all, the best Practical Peace Plan should be one that will bring China permanent peace in the shortest possible time.

"Furthermore, it is perhaps needless to point out that all writers of essays are making themselves responsible for what they say, and it would also be the duty of the successful writers to go round to deliver speeches before public bodies of their own plans of peace with a view to stirring up the somewhat dormant state of Public Opinion. Again, it may not be unreasonable to fancy that the best essay could not be composed within the time-limit prescribed by the *China Weekly Review*, and the successful writers must have such plans in mind long before there is offer of such an opportunity."

AMBASSADOR WOODS AND THE KOREAN MURDERS

DR. C. F. Remer, a member of the faculty of St. John's University of Shanghai who is now in America on leave which he is spending at Harvard University, has sent to the *Review* two clippings from Boston newspapers referring to the murder of Koreans in Japan in the excitement and disorder following the earthquake and fire of September 1. One clipping is a dispatch from Washington dated November 22 appearing in the Boston *Herald* of November 23 stating that an organization known as the "Friends of Korea" had filed with Secretary Hughes of the State Department a protest against the massacre of some 500 Koreans and the imprisonment of 15,000 others during the earthquake and fire in Japan. The other clipping was from the Boston *Transcript* for November 24 and was a dispatch dated at Philadelphia, November 24, quoting Cyrus E. Wood, United States Ambassador to Japan, to the effect that the reports regarding the massacre of Koreans was "hysterical and generally untrue." In commenting on the matter further Mr. Wood said, "During the wild excitement there is no doubt that a number of Koreans found engaged in looting the dead were killed," said Mr. Wood, "but they were only meted out the same punishment as Japanese offenders." In view of the conflicting reports of this affair in the American newspapers there is no wonder that the average American newspaper reader is muddled regarding the real truth of the matter and to add further complications especially from the standpoint of Ambassador Wood's good intentions in giving out the official denial there is a recent report in the Far East published originally in the *Kobe Herald* to the effect that Mr. Woods "will retire from the diplomatic service and devote himself to work in a private capacity for the improvement of relations between America and Japan." Now as to the massacre of Koreans following the earthquake and fire, the only phase of this disgraceful outbreak regarding which there is uncertainty is the number killed. The American newspaper correspondents who were in Tokyo both during and immediately following the earthquake and fire gave the estimated number of Koreans killed as ranging from 1,500 to 2,000 and in addition to the Koreans killed there were also a considerable number of Chinese. According to the Osaka *Asahi* the number of Chinese killed was around 150 while the Chinese Legation at Tokyo placed the number at 68, including 17 students, 26 tradesmen and 25 laborers. Dr. C. T. Wang is now in Japan investigating the killing of Chinese and trying to induce the Japanese government to pay an indemnity. The Koreans of course have no way of forcing the Japanese government to an accounting for the murder of their nationals, the responsibility for which rests entirely with the Japanese military authorities who made no effort whatever—if we are to believe the statements in the Japanese press—to stop the outbreak of anarchy and lawlessness which prevailed for several days in the earthquake area.

THE PERENNIAL ATTACK ON THE RETURNED STUDENT

UNDER the caption "The Backward Pull" our esteemed, but at times almost querulous contemporary, the *North China Daily News* recently published an editorial which would have done credit to the Prophet Jeremiah in his most lachrymose period. "Through all the political and social turmoil which has existed in China since the overthrow of the Manchu or Ch'ing dynasty, perhaps no class of Chinese has been so profoundly disappointing as the students sent abroad to acquire a foreign education with the reasonable expectation that on their return they would eventually take a leading part in guiding their people into the paths of peace, prosperity and steady progress." It really is dreadful when one considers that after developing to a high degree a civilization over a period of some four thousand years, and procreating until they number probably more than four hundred million in spite of infant mortality, famine, battle, murder, and other forms of lingering or sudden death, and spreading over an area of four million square miles; and when one considers further that it is just over fifty years since the first Chinese Educational Mission went to the United States under the leadership of Yung Wing, and that only a few thousand have been educated abroad during this past half century—when one, we say, takes all these conditions into consideration he is likely to come to the conclusion that it is all dreadful—but not surprising.

THE occasion of the editorial criticism referred to seems to have been mainly the report in a Japanese magazine of an address by a European-educated Chinese medical doctor before a Japanese audience sometime recently. But a general feeling of irritation with returned students as a class contributed evidently to the final toning of the article. If the address was correctly reported, which is more than doubtful, the Chinese M. D complained that sufficient credit is not generally given to native Chinese medical experience by practitioners of Western medicine. We have not had the pleasure of reading the report of the address, and quite possibly the speaker did make foolish remarks but it does not follow that all returned students deserve the condemnation visited on this one. We readily grant that not all returned students are prize packages. That the speaker referred to finds something admirable and worth while in the experience of his forbears in the subject which he has studied abroad, however, is rather to be praised than criticised. It is desirable that Chinese going abroad for study should upon returning to their homeland seek the best there is in the past experience and civilization of their country and set to work to better what already exists and build on old and firm foundations rather than try to overturn everything and introduce materials and methods which are entirely alien to the people from whom they have sprung and among whom they are to do their life work.

"A large proportion of them were aided financially from foreign funds, and were treated with the greatest kindness and consideration in the countries to which they went. Yet they do not seem to have undergone any remarkable change or development as the result of their Western learning." To be sure: what are we looking for, and what do we expect? Do the students of England, and America, and France, and Germany, and Italy, and Spain undergo a "remarkable change or development" as the result of their Western learning? And do the foreigners who come to China undergo a similarly "remarkable change and development"? If so we confess we had not noticed it particularly. When Chinese students return to their homes outwardly changed by means of Western clothes and manners, and refuse to follow customs which have been in vogue since the times of Confucius, the average "old China hand" is second only to the scandalized grandparents in denouncing the change. And if the same student wears Chinese clothes and worships his ancestors, and takes a wife and five concubines and becomes an ardent practitioner of Roosevelt's preachments on race suicide then the foreigner of Mr. Bland's type becomes equally horrified and indignant, and editorial writers sit down in a determined manner to write more paragraphs on "the unchanging East." What is the poor returned student to do? If he is wise he will take down from the shelf his dusty little old copy of Mr. Æsop's Fables, turn to the story of the Man, the Boy, and the Ass, apply the moral and live his life according to his light, without undue regard to what his numerous relatives and his Chinese and foreign friends think of him.

"THEY have shown, as yet, no capacity for leadership, and have promulgated no practicable political and social plans for the restoration of their country." We wonder! Space forbids our going into a minute consideration of this statement which would entail a disquisition upon the meaning of "leadership," and too numerous and lengthy quotations from both Chinese and foreign volumes of Who's Who. We admit, however, that we had hitherto thought of Messrs. Wu Ting-fang, Tang Shao-yi, Sun Yat-sen, W. W. Yen, Wellington Koo, Alfred Sze, C. T. Wang, C. H. Wang, David Z. T. Yui, and a goodly number of others—not to go down the list of medical, legal, educational, industrial, and Christian workers—as leaders and moulders of present day China. No one would admit more readily than these same men their failure to reform the country from top to bottom. If the truth were known they are probably far more discouraged over their apparent lack of success than are many of their foreign friends. One reason why returned students have not accomplished more than they have is pointedly indicated in the story which is told of the answer of Lo Feng-loh to Li Hung-chang after the latter had twitted him on the good work being accomplished by returned students in Japan: "When Marquis Ito returned to Japan from America he was made Prime Minister. I was made your secretary at a salary of Taels sixty a month." Every one knows that the Yung Wing Educational Mission was wrecked on account of rotten politics and jealous intrigue. After being summarily recalled long before their educational program had been completed the young men who had been sent to America were looked upon as suspicious characters—and shelved for fifteen years. Only after the China-Japan War of 1894-5 did these men begin to come into prominence and hold positions in which they could frankly and openly direct public opinion. Mr. H. B. Morse in his "International Relations of the Chinese Empire" says: . . "but by this time (about 1906) the small group of American students of the Yung Wing mission, less than a hundred in number, had emerged from the obscurity to which they had been relegated, and had taken their rightful place in the movement for reform. To them, and to a few others educated elsewhere, was assigned the leading part in drawing up a new constitution, the most prominent being Tang Shao-yi, Liang Tun-yen and Liang Cheng among the American students, and Wu Ting-fang, a member of the English Bar; they were backed by the strong support of Yuan Shih-kai, and it is a tribute to the sober sense of the Chinese race that the dominant inspiration in this constitutional movement was not the radical and revolutionary spirit filling the students taught in Japan, but the sane conservatism animating the select few educated in democratic America and England."

TO argue that because the returned students have not promulgated any "practicable political and social plans for the restoration of their country" they are failures is to hark back to the point of view fostered by patent medicine manufacturers. Figurative references to China as the "sick man of the Far East" have led natives and foreigners alike to look for a panacea for the country's ills which will never be found. The ills are many and no single cure exists. This is not to insinuate that the salvation and the salvaging of China are impossible. By no means. It is only to say that a few thousands of returned students cannot in a generation or two lift a populous and far flung ancient empire to the rank of a Western Power the antecedent conditions of which are quite different from those in China. Nor should foreigners in China be surprised or especially indignant to observe that "although it is said that the Chinese possess in an eminent degree the virtue of gratitude, not a few of these returned students are very bitter against foreigners. "With the best intentions in the world, and, not all the intentions of foreigners and foreign Powers in China have been of the best, a large group of people who are exponents of a civilization quite different from that of China could not fail to stir up at times a deep-seated animosity. Nor need it be a matter for astonishment that not every Chinese is able to look at the problems of his mother country in the impartial way in which some foreigners flatter themselves that they are accustomed to do or to agree that the sole cause of friction is on the side of China. To go a step further, it need not cause surprise when students criticise the lands in which they have resided abroad. If they have studied hard and observed carefully they may be able to see faults in these countries even as do the natives of these same countries, or as foreigners do in China upon coming here to live. The history of the nineteenth century relations of China with foreign powers while lighted here and there by incidents of pure friendliness and unselfishness is nevertheless one which on the whole is calculated to stir up indignation on the part of anyone who goes into it in any detail. The English and American governments have educated the children of India and the Philippines respectively, and the latter on reaching years of greater or less maturity have not hesitated to criticise their teachers. If the latter are wise they will not waste time in nursing wounded feelings or in mutual recriminations but will set about righting whatever wrongs there may be or removing the appearance of wrong. So it should be in the case of returned students and their criticisms of foreign

countries and foreigners. To do a kind act for a person with the idea of blinding the recipient of favors to the imperfections existent in the donor, or to keep attention from being drawn to them, is one of the subtlest forms of bribery and none the less immoral because of its subtlety.

OUR friend the critic quoted above is of the opinion that the returned students are not "completely in harmony with their environment. There follows a struggle between old and new tendencies, and the ties of kith and kin, of tradition and custom proving the stronger, they fall back into the old ways. But they never become quite the same as other Chinese; their foreign education seems to remain as an incompatible, disturbing element in their nature." Whether the student falls back into the "old ways" may be doubted; certainly it depends greatly upon the point of view of the person who makes the accusation. It has been suggested above that the object of foreign residence, travel, observation, and education is not to produce a convulsion in the student. It is entirely undesirable that he should become "foreignized"; a Chinese he is, and a Chinese he wishes to and must remain. He can never become a foreigner, and ought not to ape foreigners. What is necessary is that he shall fit himself by contact with foreign cultures and by careful training of a systematic and scientific type to develop his own abilities and fit himself to bring out the best in his own country and countrymen. By what authority the critic quoted should presume to occupy the seat of judgement and deliver a verdict of condemnation of foreign education as an "incompatible, disturbing element in the nature of the Chinese returned student" is not quite clear. It may be suggested however, that meeting foreign education in a Chinese is sometimes a more disturbing factor to foreigners of a conservative or reactionary type of mind than to the Chinese themselves. At least we may say that we have yet to meet the first Chinese who regrets having received foreign education or who refuses to take advantage of such education when the opportunity occurs—whether that education be given in China or abroad. The sweeping criticism handed out in the editorial quoted above merely demonstrates that, as suggested hitherto, some of the Chinese are sure to be criticised by some of the foreigners always. If the Chinese stick to old custom they are irritating to foreigners who are progressive; if they leave old custom to one side and become modernized they are bound to shock the conservative foreigners who are by no means few in the Far East. But the Chinese will solve the problem as they always have solved it, by acting to please themselves, regardless of the reaction of the foreigners. In this characteristic they show the wisdom of age.

AMERICAN PROTESTS VS. OPIUM GROWING IN FUKIEN

THE pig-tailed cadaverous laundry-man, opium pipe in hand, drowsily reclining in a fume-laden den, is a picture which it has been difficult for Chinese intellectuals travelling abroad to remove from the minds of Americans and Europeans. It is a picture, moreover, which has done more than a little to complicate the question of Chinese immigration into Western countries. During recent years it has been slowly becoming a less truthful and correct picture, and many of China's sons and daughters as well as her foreign friends have labored hard to eradicate the opium evil from the country and to remove the blot on the Chinese 'scutcheon which inhabitants of foreign lands have so often deprecated. The labor of years now seems vain when the reports of travellers from all parts of China are compared and the conclusions based on them are reached. From North and South and East and West come accounts of poppy growing, opium manufacturing, taxing, and smoking. Not the least significant evil from which China is suffering at home and in the estimation of foreign nations and which is to be laid at the door of China's militarists is the one connected with opium. In no country more than in China have the officials learned to apply so literally the Biblical command to let not the left hand know what the right hand doeth.

THE province of Fukien has for years been notorious for opium production. In fact it was into this province that opium-smoking was first introduced. From North America the Spanish conquerors brought tobacco to the Philippines. In these islands for hundreds of years the Chinese merchants from Fukien and Kwangtung— especially Amoy and Chingchow—had traded. Here the Chinese met the Spaniards and from them received tobacco which they introduced into Fukien early in the seventeenth century. During the same period the Dutch who were for a time rulers of Formosa were smoking tobacco and mixing opium with it. The addition of opium to tobacco was probably due to the hope of counteracting the malarial fevers which flourish in the Formosan jungles. From this island the habit of smoking opium spread to the mainland through Amoy.

THAT the traffic in this drug is by no means a matter merely of ancient history but is distinctly a problem of contemporary importance is clearly shown by reference to the valuable work published in 1922 by the International Anti-Opium Association, Peking, called "The War Against Opium." Surveying conditions in Fukien this report says: "This province has been divided between the Northern and Southern Generals, but only about one-third of the province has been freed from poppy cultivation, and the Generals of each of the rival governments must bear the blame. In the spring of 1919 in Fukien, in the neighbourhood of Changchow the officials everywhere encouraged the production of opium, demanding $40 as punishment, and $3 expenses. These fines were not enforced to hinder the cultivation of poppy, but were intended as licensing fees. That the official pockets might be filled the military captains and soldiery saw to it that poppy was planted. Amoy has always been a great center for opium smuggling, and seizures of Amoy opium disclosed a device by which small portions of opium were enclosed in little flat copper boxes, stamped 'Benares' with the double object of securing a better price for an inferior article, and in event of discovery throwing the onus of responsibility on the Indian government. At Tong An the people were addressed by two officials who told them in the Southwest the Southern government was compelling the sowing of poppy, while to the East and West, where the bandits held power, the people were cultivating opium. The unscrupulous in these districts were thus fast making money, but the people of Tong An were denied that privilege. The farmers were urged to fear nothing but to go ahead and produce opium. Since they would be protected they would in return no doubt, like to assist the government financially and this they could do by paying $10 for every peck of poppy seed planted. The farmers in this district were

opposed to planting even though force were resorted to on the part of the officials, as they well knew that all the profits would go to the rulers.

"IN the Yung Chun district a proclamation was issued (by the Yung Cultivation Tax Office, dated 26th December 8th year of the Republic, (1919) and signed Su Chung-San) in which the people were commanded to sow poppy on suitable land, at a tax of $5 per mu. Any person who neglected to cultivate poppy would be fined twice the amount of the tax. Together with this was another document giving advice to the farmers, stating what fields were suitable for the poppy, how to mark the land off in furrows, how to fertilise and irrigate the soil, with other useful instructions, the evident intent being to secure as good harvest as possible. Rice fields were often perverted to this use, and the price of rice rose steadily. The methods adopted by a certain Colonel Wang appear to have been especially objectionable. This man with Northern troops would encamp in country districts, summon the village elders to appear before him, announce the amount of the tax, and if they did not agree he would have them put under guard until they consented to the amount imposed. This was in 1920 and the tax forcibly imposed was twice or three times as much as in 1919. Petitions and protests were sent to Peking in vain. Governor Li Hou-Chi always maintained that the province was free from opium, or if not entirely so, that this was owing to the bandits and Southern troops in certain districts. Not content with fleecing the Fukienese in this fashion, at the end of the year 1920 Li Hou-chi proceeded to add to his troops, and ten thousand recruits from Hsuchow arrived at Foochow. His scheme was to make a Third Army Division, utilizing the proceeds of the opium tax collected at Hu-ian, Yungting, Putien, and Sienyu to purchase arms which were provided by a certain foreign firm at Foochow. . . . More than once the Fukien students residing in Peking, accompanied by the Association's secretary, went to the Home Office and represented the matter to the Vice-Minister. They were assured that enquiries should be made and a commission sent to examine into the conditions in Fukien, but the Governor, Li Hou Chi, does not alter his course, hypocritically stating that he deplores the cultivation of poppy and welcomes investigation.

"PROTESTS have also been made to the Wai Chiao Pu, and photographs of poppy fields in full bloom were forwarded. The International Anti-Opium Association requested permission to send delegates to witness the destruction of the crops and their proposals were warmly supported by the British Legation. The Chinese government, however, on the pretext that the Anglo-Chinese Agreement, with its provision for joint inspection, had expired, refused to accede to the association's request and took no action to destroy the poppy fields until the crops had been successfully harvested and the taxes thereon collected by the local military officials."

THUS conditions in Fukien are described during the years 1919-1921. When some years ago government commissioners were sent to inquire concerning poppy growing in Fukien they made their survey after the poppy harvest and reported that there seemed to be very little poppy cultivation going on. Clearly there are Chinese yet who—like their ancestors and their former rulers the Manchus—class the foreigners as barbarians who along with the "stupid common people" are so low in the scale of human intelligence as to be quite unfitted for comprehension of "reason" by which Civilized Celestials are to be ruled.

THE Consul-Generals of the United States, Great Britain, and France stationed at Foochow have brought the subject of enforced cultivation of the opium poppy to the attention of the provincial authorities of Fukien. These latter, true to form, have replied that the local officials would be instructed to stop the evil practice. The American Consul-General did not stop with joining in a protest to the provincial authorities but sent information of conditions to the legation in Peking which in November last filed a protest against the Foochow officials' forcing Christian converts to grow poppies for opium production. To bring about a condition of affairs in which Chinese Christians are forced in self-defence to participate in the opium traffic is contrary to the letter and the spirit of China's international treaty obligations according to the American Legation in Peking. Article XXIX of the Tienstin treaty of 1858 between the United States and the Ta Tsing Empire reads in part:" . . . Hereafter, those who quietly profess and teach these doctrines (of the Christian religion) shall not be harrassed or persecuted on account of their faith. Any persons, whether citizens of the United States or Chinese converts, who, according to these tenets, peaceably teach and practise the principles of Christianity, shall in no case be interfered with or molested." Article XIV of the Commercial Treaty signed by representatives of the United States and China on October 8,1903, repeats practically word for word part of Article XXIX as just quoted but in connection with the matter of taxation adds that Christian converts are not exempt from "paying legal taxes levied on Chinese subjects generally, except taxes levied and contributions for the support of religious customs and practices contrary to their faith." The American Legation holds that enforced cultivation of opium poppies is contrary to the principles of the Christian religion, and, it may have added, the collection of such taxes as those described above can scarcely be looked upon as *legal* taxes levied on Chinese subjects generally.

TO the International Anti-Opium Association belongs in large part the credit for whatever action is taken by the government of China or those of the Western Powers in the arousing and maintenance of public opinion on the Opium Question. Under the patronage of H. E. former President Li Yuan-Hung, and the guidance of Rt. Rev Dr. Frank Norris, Anglican Bishop of Peking, and Dr. W. A. Graham Aspland, president and general secretary of the Association, respectively, a great work has already been and continues to be done. Their Excellencies Wang Chung Hui, W. W. Yen, Chow Tzu Chi, Tung Kang, and Hsiung Hsi Ling have rendered aid in constituting the Advisory Board of the Association. The active assistance of such men as these indicates that not all the officials of Republican China are smeared with the tar brush. To this Association which acts as a clearing house of information are sent reports from many parts of China. Under date of December 6 the following telegrams were sent which show clearly the condition in Fukien at the close of the year 1923. From the Sien Yiu District Association: "Compulsory opium cultivation and taxation are exercised under official force in our district. Funds collected from taxation

have amounted to over $1,500,000. The people here are living in miserable conditions but the authorities have no consideration for their sufferings. Herewith we forward you the original copy of the compulsory opium cultivation order issued by the local authorities. It is our sincere hope that a strong protest will be lodged with the government, and an immediate telegram sent to stop them, also a delegate be despatched to make an investigation in order to eradicate opium evils and relieve the sufferings of the people." A telegram from Hinghua of the same date reads: "Yesterday the officials in person strongly urged the people to plant opium. People have been arrested for planting grain. Ask the Consuls strongly to urge immediate action against the plantation of opium. Delay is serious."

THE Ministry of Foreign Affairs has received similar reports as well as the protests of the Anti-Opium Association, and the strong formal protest of the legation of the United States of America. It has promised to take action but so far as is known it has done nothing to the present time. In the light of the conditions described above in the Association's survey and report it will be most interesting to see whether the protest of the American diplomats will be of any avail. That China is slipping lower and lower into the slough of despond and gradually losing the respect and friendship of even her best of old friends becomes daily more evident. The secret of the failure on the part of the "Central government" to take constructive action is a dark one but not so deep, it seems to us, as to defy disclosure. The remarks of a distinguished resident of China's Capital city contain we believe a summarization of conditions which now prevail in the North and which throw a clear light on a black situation: "The country is absolutely rotten on this one point—with the President, three members of the Small Cabinet, Heads of Police, and dozens of M. P.'s all smoking, what can one expect?" Such comment speaks for itself, and on it we feel it is unnecessary to comment.

Special Police Cars With Search Lights on Tientsin-Pukow Line

Since the night attack by bandits on the "Blue Express," in May, one of the measures taken by the Tsin-Pu Railway Administration to protect passengers on these trains is to equip special cars for the special police who are detailed to escort the trains. These special police cars are different from any that are in China in that each car is equipped with two electric search lights which are ready for use at any instant. The search lights are located at one end of the car, one on each side. Each light is capable of throwing a beam 1500 to 1800 feet away according to atmospheric conditions rendering visible an object the size of a person. When in operation it can sweep the field with its bright beam of light horizontally through an entire semi-circle and also can direct its light upward or downward. With both lights turned on at the same time, their rays can practically sweep through an entire circle. It is supported on a sliding base so that it can be projected through the window over the side of the car and can be controlled from inside by two hand wheels so as to throw the light in any direction required. The mechanism for rotating and dipping the light is quite simple and is quite cleverly made. When not in operation the search lights are drawn inside the car and the window space closed by a sliding steel plate. In case of an attack by bandits, the lights can be pushed out in position, the steel windows closed and the operators are protected more or less from rifle bullets. Each car has its own power plant for the electric lights and has ample accommodations for the police and their firearms and so forth.

The Administration has issued orders to the Locomotive Department who are responsible for the equipping of these cars to rush the work so as to complete four cars of this type as soon as possible. One of the cars has been already put in service. The Administration is as anxious as the traveling public that efficient protection be accorded them and effected with no loss of time.

Gold Francs and Brickbats

BY CHARLES DAILEY

PEKING is one of the most interesting cities in the world. It has at once a charm and a fascination. It is a city of smells, yells and bells. As in all other parts of China each vendor of various wares has his gong or other annunciator that identifies his calling, and even the blind man and the barber employ a distinctive call. The cries of the *mo-mo* man are always the same and are never to be confused with those of the seller of cooked meats. It is said by a world traveler that there are only two cities in the world that are not disappointing to the tourist—Constantinople and Peking. And in both of them the smells are as striking as the street cries.

Yet there is another smell in Peking that the tourists have no opportunity to sample, owing to the limited time at their disposal and that is the stew of politics. Perhaps nowhere else in all the wide world is the political stench greater than it is in Peking to-day. The major part of every dollar that comes into the coffers is wasted in a riot of corruption and debauchery. And the feud between the Paoting faction of the Chihli party, as personified in Kao Ling-Wei, Minister of the Interior and acting Premier, and the Tientsin faction, so ably represented by Wu Ching-Lien, Speaker of the House of Representatives—well, it smells to heaven.

Wu Ching-Lien is the head of that faction in Parliament that has set out to put Tsao Kun and his government out of business unless the terms of that faction are complied with, and they are very high. Much already has been paid, chiefly in the way of perquisites, but Tsao Kun set a very bad example in openly buying the votes of sufficient members of Parliament to cause his election. Since the election the price of Parliamentary influence has gone soaring. Speaker Wu, in an effort to compel submission to his terms, has been able to block the President and has used two clubs. One is the resumption of the payments to France and other Latin countries of the Boxer indemnity and the other is the nomination of Sun Pao-Chi as Premier. Until Tsao Kun can get a Premier and until he gets a regular supply of funds flowing towards Peking or any sizeable loan, he cannot get a government.

Speaker Wu had been successful for two months and began to think he had things pretty well sewed up. The sessions of Parliament became more and more turbulent as time went on and there were fist-fights and inkslab-slinging contests at nearly every session. There was in fact so much disorder that Speaker Wu organized his own bodyguard of police to protect him and his followers during the sessions and to keep out anybody who did not bow the knee to him. Matters went from bad to worse, and finally on December 18 one of the members let fly an ink-slab that struck the Speaker on the head between his dignity and his chair. He stuck to the chair until he was able to bring in his battery of photographers to snap the Parliamentary Pummelers in the act. Then he hied himself off to a hospital and had his wound patched up.

Acting Premier Kao Ling Wei finally decided that it was time for a little action on his part, in an effort to show who is boss. (It is only the first reel of the thriller, so don't pass judgment too soon.) Kao sent a specially picked body of huskies from the gendarmerie over to the Parliament buildings, who threw the Parliamentary guards out body and breeches and now await all comers. What spurred Kao Ling-Wei to action was the demand of Parliament that the acting Premier, as well as acting Foreign Minister Koo and acting Finance Minister Wang Keh-Ming come before Parliament *kwei-kwei* and explain why they were ready to pay the French Boxer indemnity on the basis of gold francs-either that or be impeached.

Just what Kao Ling-Wei did has not definitely come to light, although there are several versions and many more suspicions. One thing is certain: Wu Lien-Ching hired a bodyguard of athletes who stood guard outside his home. They are as tough a lot as a bunch of New York gunmen. It was about this time that Speaker Wu came to an enforced decision. He wanted to send out a circular telegram to the provinces justifying his attitude in the French Boxer indemnity. A mere synopsis of this telegram occupies two columns of space in a metropolitan newspaper. The cost of such a telegram to a list of addresses as long as the string of fish Larry Lehrbas hoped to catch amounted to a tidy sum. The cruel telegraph office sent a chit around to Speaker Wu asking for cash. The President, the Cabinet Ministers and the

Warlords can get their circular telegrams deadheaded, but Speaker Wu was unable to get his telegram charged to the government. So he hit upon the scheme of trying to send it from Tientsin.

It so happened that Wu Ching-Lien had arranged a large dinner party of his followers at a leading Peking restaurant at noon of Friday, December 21. The spies of Tsao Kun, and Kao Ling-Wei were on the job. The dinner took place, but Speaker Wu was not there. He had in fact arisen before six o'clock that morning, and after being wrapped in a blanket on the floor of a motorcar, he was whizzed away from the back entrance to his residence and, escorted by two other cars containing bodyguards, sped through Chi Hua-Men and before sunrise was well on his way to Tientsin, where it is said he got his long telegram on the wires.

It may be interjected by way of parenthesis that the Cabinet meantime resigned *en bloc* because of the obstreperousness of Parliament, its threat to impeach three of the members and its charge that the Finance Minister personally profits by the proposed loan through four Chinese banks of $5,000,000 on the unexpended portion of the Russian Boxer indemnity. Since they were only hangovers of temporary ministers at best President Tsao Kun declined to accept the resignations. Then most of them got circular telegrams off for reading over the Winter Solstice holidays.

The remarkable part of the telegram of Speaker Wu lies in his effort to arouse the people to a refusal to pay any part whatsoever of the remainder of the Boxer indemnity, and this but adds to the anti-foreign feeling engendered by foreigh control of the Customs, the Salt tax and certain other revenues that are pledged as security for foreign loans. China's treasury is empty and her credit nil, and so every effort is being made to get rid of foreign control. Down at Canton Sun Yat-Sen, Eugene Chen and C. C. Wu are sitting up nights making written attacks on the foreigners, and particularly the United States, Great Britain and France, over this matter of the foreign control of the Customs and keep a boy busy filling their fountain pens.

Speaker Wu's telegram, although largely controversial, throws considerable light on what is popularly called the Gold Franc case, although France would be the last to admit that she has two currency standards. It is on the whole an attempt to justify his stand and that of his followers in Parliament, who are as has been pointed out, sufficient in number to prevent a majority, in opposition to the President and his effort to form a Cabinet and to try to get some form of a government going in Peking.

It is charged that the Constitutional party, represented in the government by Kao Ling-Wei, Minister of the Interior and acting Premier, prevented the discussion of the Gold Franc case in Parliament and the telegram is in the form of a political challenge, any outcome of which cannot be to the betterment of the condition of the foreigners in China, who more and more are being regarded as being here to sap up China's revenues under enforced treaties, and which to a certain extent is true. with only the treaties of the Washington Conference to hold some of the Powers in leash. After washing a lot of political linen and airing some of the dirty apparel of his opponents, Speaker Wu gets down to the question of the Boxer indemnities. in which he says:

"I am chairman of the House and one of the most vigorous opponents of the Gold Franc issue. During the last two months troubles have occurred in Parliament in rapid succession. This is due to the fact that a section of the members have been inspired by Kao Ling-Wei and others to destroy Parliament, for so long as Parliament exists the Government cannot make any deal with France regarding the Gold Franc question. For this reason both I and Parliament are thorns in the side of the Government. Every effort is made to oust me from the Speakership and to weaken the opposition of Parliament so that the Government may accomplish its treacherous object of accepting the French demand and betraying the interests of China. * * *

"So long as I am in office as Speaker of the House for a single day I shall follow the honorable members of the two houses of Parliament in upholding the interests of the country and preventing the Government from making any traitorous bargain with foreign countries. * * * . It is earnestly hoped that you will express your attitude on the Gold Franc case and join in preventing a decision that has once reached the stamp of unanimous approval of the House of Representatives from being turned down to the great detriment of the country. * * * I will not hesitate to die in the interest of the Law, Parliament and the State * * * provided that the nefarious design of the Government to accept the French demand is thereby killed. * * *

"You, gentlemen, are either guardians of the country or arbiters of the people. To uproot the traitor is to defend the country; to overthrow tyranny is to defend the people. As to my brethren throughout the country, I am sure that when they come to reflect on the iniquitous character of the Boxer indemnity, which is like a millstone around their neck, they will not remain silent any longer, For the most tragic part of the case is that if we recognize the claims of the French, the Government treasury will bear an unexpected loss of some $120,000,000, while many more millions will be paid by China if other gold franc powers should demand the same. * *"

The government's side of the case is simpler, but reflects also the fact that China is under the thumbscrew of the foreign powers and is helpless, The amount of the Boxer indemnity was fixed by the protocol of 1901 and the terms were altered to a more favorable basis for France and certain other European powers by another protocol in 1905. Under the latter France chose to accept payment on the basis of the rate for telegraphic transfers at the time of the payment of each instalment. Now, with the franc of commerce so far from par France insists upon payment on the basis of the pre-war value of the franc. China is not asked to pay more than if the franc had remained at par; China is sore merely because the silver dollar will buy more francs of commerce to-day than it did in 1905 or 1917.

Since all the Powers who still participate in the Boxer payments are solidly lined up with France the hostility extends to all these countries, and as the case becomes more and more an issue is being reflected in the treatment of their nationals. It is one of the causes for the uneasiness of the foreigners in China to-day. The danger is that some hothead may again incite the people of China against them.

It may be said on the whole subject that China and France are not hitting it up at all, and doubtless the situation is causing as much uneasiness in France as it is bringing turbulence in China. Only a day or so ago the Chinese Minister to France reportd by cable that France may refuse to return Kwangchowan to China, as agreed to at the Washington Conference. This is considered to be a club over the head of China in the Boxer indemnity question, although there may be another reason. France has stated officially that she will return her possessions in the Kwangchowwan peninsula when Great Britain gives up Weihaiwei. The treaty negotiated by Britain for the rendition of of Weihaiwei is unsatisfactory to the Chinese people and they have brought such pressue to bear that the treaty has not been accepted by the government in Peking.

According to the view held in Peking France feels that she is being more and more isolated as a result of her attitude since the World War and must prepare to play a lone hand, not only in the Orient but even in Europe. The intention of Great Britain to develop the Singapore base, promptly re-iterated by the Admiralty when a League of Nations committee remarked that the scheme was dead, and the strained relations resulting from friction over the Ruhr occupation, have been taken by French Colonials as a threat against Indo-China. Although France has not developed the holdings bordering on the Bay Kwangchow, the entrance to the Gulf of Tonking, she always has felt that its possession made it possible to nullify the British possession of Hong Kong. But with Singapore made the most powerful British base in the Orient the odds would be against France.

Since the dispute with China became acute over the payment of the Boxer indemnity it has been stated in French circles that France would yield Kwangchowwan only in return for something else, but it never has been stated what that something else was. It is only since the deadlock between Great Britain and China regarding Weihaiwei that the French have announced their intention not to negotiate for the Kwangchowwan retrocession until Weihaiwei was delivered back to China without any strings. As to Weihaiwei, the Japanese interest in the Kiaochou territory in Shantung also hangs upon the adjustment with Great Britain, as Japan insists upon like treatment for Tsingtao, whatever it may prove to be. Owing to the rapproachement between France and Japan since the death of the Anglo-Japanese alliance and the very tender thread upon which hangs the Entente Cordiale between Great Britain and France, both France and Japan have seen eye to eye on many questions in the Orient, and this has been emphasized by Japanese opposition to many British proposals in connection with the problems of China. From all this the United States holds aloof, or at least asserts no initiative.

The matter of the resumption of the Boxer indemnity payments to France is of course at a deadlock owing to the

opposition of Parliament. Since the situation appears to be much confused by the snarl into which it has been drawn by the factional maneuverings in China it may be well to say that the Finance Ministry and the Foreign Office are reported to have agreed that the payments shall be on the pre-war value of the franc, hence the popular expression of the gold franc with reference to the case. In this settlement Italy, Spain, Belgium and possibly other countries whose exchange has depreciated in comparison with the gold dollar and the pound sterling wish to join. All the Powers, including the United States, have informed China that she must pay in accordance with the terms of the 1905 protocol, no matter what the custom may have been up to the time of the suspension of payments as a bribe to induce China to enter the World War.

It is this concert of the Powers that causes the resentment of the Chinese to foreign control of the Customs, on which the Boxer indemnity and other obligations are secured, and it is the outcome of the World War that makes France feel that she must be prepared to play a lone hand in the world, an apprehension that has been much heightened by the recent entente between Spain and Italy, which threatens if it does not menace French control of the Mediterranean. The French Colonials affect to see in this the wily hand of Great Britain. The whole situation in Europe appears to have a disturbing effect upon France in the Orient and sometimes it is said France suspects that other Powers are secretly encouraging China in her stand on the Boxer indemnity question.

However, that is manifestly untrue, for all the signatory powers of the 1905 protocol, (including the United States, which is in no matter concerned in that protocol beyond her acceptance of the document since it amended the protocol of 1901, to which she is a signatory) have sent a note to China telling her she must pay on the so-called gold-franc basis. The real cause of the Chinese opposition to France in the Boxer case is due to the ungenerous action of France in the rehabilitation of the Banque Industrielle de Chine. Although the investors at home seem to have been taken care of, the Chinese creditors feel that they are holding the bag and can only succeed in getting their money back when the bank gets on its feet again which will be a long struggle. It is through the Boxer indemnity payments that the Banque Industrielle is to be rehabilitated.

The whole situation has made for bad feeling and while Minister de Fleuriau appears to be on good terms with the Foreign Office in the matter the Chinese people are obsessed with the idea that France is trying to "put something over" on China. Therefore the hints thrown out regarding the retrocession of Kwangchowwan also are taken by China as in the nature of a club. France also is trying to sell to China the Amoy-Annam cable, which was operated by the French postal service until the closing of the foreign postoffices in China, but the Ministry of Communications does not see the need of the cable, making the reply that it has no available funds.

France also is pressing the Chinese government in the matter of the capture by bandits of Pere Frederic, a missionary priest in Shantung, who was liberated through a troop attack a few weeks later, and of Bishop Widdener, who was freed in a few days. The Chinese government is pledged to pay the soldiers who rescued Father Frederic $10.000, but has reached no agreement with France on the subject. As with the other foreign powers, France has received no payment for the capture of her nationals in the Lincheng attack on the Blue Express last May.

There are some further French disputes with China, but none of them of sufficient importance to justify the strong opposition in the Boxer indemnity question, and it can only be deduced that China is simply echoing the general sentiment against any foreign control of her revenues, the dispute with France merely bringing it to the surface.

The circular telegram of House Speaker Wu Ching-Lien puts one side of the Boxer-payment question before the people and some of the other circular messages which cluttered the telegraph offices for several days before Christmas also present some of the arguments. There are hints of a secret understanding, and this is brought out by Lo Chi-Han, a Member of Parliament, in two manifestoes, one addressed to the members of Parliament and the other to the French minister. In the letter to M. de Fleuriau Mr Lo intimates that the acting Minister of Finance, Wang Keh-Ming, had already secretly concluded an agreement with the French Minister and points out that he was the former right-hand man of the Banque Industrielle. Mr. Lo takes the stand that France is wrong, and by indirection that all the other foreigners are wrong in their insistence upon a gold basis.

Marshal Wu Pei-Fu, who although the greatest military power in China endeavors to avoid being drawn into the maelstorm of politics, has been appealed to by a number of Senators for his support in their effort to prevent China's acceptance of the terms exacted by France. Marshal Wu refused to express himself beyond the statement that he hoped full publicity would be given to all the features of the case, adding that if there was anything either unjust or crooked in the negotiations the light of truth would prevail.

The Government has sent its circular telegram summarizing its position in these words: "Since the government under President Li Yuan-Hung had made a promise to the French Legation that the French portion of the Boxer indemnity would be made in gold francs, an arrangement which subsequently was rejected by the House of Representatives, the Ministers of Foreign Affairs and Finance have given the matter careful consideration regarding the best way to settle the dispute. So far no conclusion has been reached. These are absolute facts. In spite of the declaration charges are still being made against the government that it had taken a different course. We think that our sincerity is in question and feel that we (the entire Cabinet) ought to resign."

Parliament insists that the Premier and Finance Minister come before it, resignation or no. Foreign Minister Koo did appear in the Senate and said the case had not reached a decision by the Cabinet. The Senate's reply was a new summons in which it was said with reference to Dr. Koo, "His explanations were irrelevant and cannot be said to be complete." Then as a final note of warning as to the power of Parliament the summons intimates that the Cabinet misunderstands who is boss, and that the Ministers are bound to appear whenever Parliament cracks the whip. Since the issuance of this summons the armed guards in Parliament have been driven off, the Speaker of the House has fled to Tientsin and the seals of Parliament have been secretly carried away by the anti-Cabinet faction. There the situation rests, with France whistling for gold frances and brickbats flying.

Peking, December 25, 1923.

Manchuria's Greatest Need—Population

BY DR. EDWIN C. VANDYKE

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DURING the summer of 1923, it was my good fortune to spend about a month travelling through and visiting various parts of that most interesting country of Manchuria, the northeasternmost section of the Chinese Republic. I was not only able to see the portions ordinarily seen by the average tourist or traveller but others rarely seen by him, and as a result, was able to make certain observations and receive impressions which I felt might be interesting to others. On this trip, I was accompanied by my good friend, Mr. H. Q. Fu, Secretary of the College of Agriculture of Southeastern University at Nanking, China, who because of his credentials and letters was able to consult and receive assistance from the various officials of the three provinces. These latter not only aided us in planning our various journeys but entertained us, supplied us with means of transportation at times, and a military guard whenever needed. The Commissioner of Education at Mukden, Mr. Chi Yin Chang, was particularly courteous to us at all times and General Chu Chi Chao, the commander of the troops along the Chinese Eastern Railway, put himself out greatly to assist us while travelling over the lines under patrol of his troops, supplying us with a private car and a body guard. Everywhere we were well received by the Chinese authorities.

We travelled through southern Manchuria over the lines of the South Manchurian Railway, visited the city of Kirin and prowled about the adjacent country, and later explored the famous "Chi Shan" or "Thousand Peaks," some distance southeast of Anshun. In northern Manchuria, we spent a short time in the cities of Mukden and Harbin, travelled along the Chinese Eastern Railway from Harbin northwesterly as far as Hingan where we were shown the properties of the Chamien Timber Company in the Great Hingan Mountains, then on our return, travelled easterly from Harbin towards Vladivostock almost to the Siberian border, stopping off at various stations along the way to investigate the continuous territory. These various trips

enabled us to make a survey of a great extent of country and rapid though it was, nevertheless gave us a good impression of its distinctive portions as the broad cultivated plains of middle and southern Manchuria; the west; and the mountains and timbered areas of the eastern part of the country.

The vast area of middle and southern Manchuria impressed us greatly, particularly as to the richness of the soil as shown by the luxuriant growth of the staple crops of sorghum or false millet, true millet, maize and soy bean, crops which were planted in great fields extending as far as the eyes could see in all directions, much as the great staple crops of maize and wheat are planted in America. This was in strong contrast to the garden type of cultivation which prevails throughout the greater part of Japan and most of middle and south China. Neither rice, the all important food crop of southern China, nor wheat, dominant crop of northern China generally, was to be seen. In fact, the only rice seen growing in Manchuria was found in certain of the small mountain valleys of the western part of the territory where it was cultivated by Koreans. Another thing that attracted our attention was the sparseness of the population. There were few villages and but a limited number of farm houses to be seen. This limited population would of course account for the type of agriculture to a great extent. We were impressed with the fact, however, that the country would have been much better cultivated had there been a greater population, and to us it seemed hard to understand why such a fertile land should lack for a sufficient population while in other parts of China not so very far away the people were so numerous that the amount of land which could be assigned to each was woefully insufficient to properly support them.

The extensive plains and prairies to the north and west of Harbin were observed to be to a great extent entirely in a virgin condition and still supporting the rich growth of grasses and wild flowers that had grown there from the beginnings of time. This country manifestly needed to be settled up. It could easily support a very large agricultural population. This would also apply to an almost equal extent to the rolling grass covered hills along the flanks of the great Hingan mountains, still farther west, but here I believe that cattle and sheep raising would be more suitable than cultivation. These grassy covered hills would furnish as good grazing lands, I believe, as there are to be found in the world and in these days when meat is so scarce, it seems a pity that they are not utilized. They could furnish meat not only for the teeming populations of China but for exportation, and untold wealth to the people of the whole country. At Harbin, it would be an easy matter to establish great packing plants after the American plan, which could receive meat and by-products in the most approved manner and prepare them for shipping. Harbin is ideally located for such a purpose and it has access to all of those things which are most necessary for the carrying out of such a project.

The forest lands of northwestern Manchuria are confined to the higher levels of the Great Hingan Mountains. In places, the timber is composed of a scattered growth of such trees as poplar and birch, both white and black, but along the crests of the higher mountains there is quite a dense growth of larch, a tree that is very valuable indeed for lumber purposes. In close proximity to the railroad, the timber is being rapidly removed from the mountains but farther away there are still to be found, so I am informed, considerable forests. This timber should of course be utilized for lumber is all too scarce in China, but before the lumbering of these areas is too extensively carried out, it seems that it would be the wisest plan to have the entire forest area properly investigated by competent foresters and a comprehensive plan outlined, so that reforestation could be carried out along with the lumbering industry. In this way, a continuous crop of lumber could be assured for all time whereas with the extension of the present methods of cutting without regard to the future, it will not be long before all of the valuable timber is removed in this part of the country and one of the most valuable resources destroyed Throughout the more northern part of Manchuria, I believe that similar conditions exist to those which have just been mentioned. Here the cutting is mainly done close to the Sungari River and the logs are either floated down or carried down the river in boats to Harbin, to be used in general for fuel and railway ties. When I was at Harbin, I saw numbers of the lumber boats unloading and observed great piles of corded wood stacked up along the embankments. In the mountains along the Eastern boundary of Manchuria, the forests are of quite a different type. Here the climate is less rigorous so that the forests are denser and the trees of more varied type. The most valuable trees are such hardwoods as the oaks which grow chiefly on the lower slopes. In the higher mountains, pines and firs are to be found. Along the railroad, at several places, large numbers of logs of the finest kind of straight grained oak were to be observed. In Europe or America, this timber would be utilized for making the finest types of furniture, for hardwood floors, for wagon building, or like purposes, and command a very high price; but here it was being allowed to rot or was used merely for fuel. Hardwood factories could easily be erected at Harbin to utilize this valuable lumber. At Kirin, there is a large lumber industry, valuable logs of white pine are floated down the south branch of the Sungari from the higher mountains, and at that city sawed up into lumber. In the methods which are used to make the logs up into rafts, much of the logs at either end are badly injured, so that in the process of lumbering, these have to be discarded and used merely for fuel. This is a needless waste of valuable timber. By changing the methods of raft building to but a slight extent this great loss could be prevented. As regards the oak which is found in the mountainous country tributary to Kirin, I will state that until quite recently it was only used for fuel, in spite of the fact that much of it is of the best quality. A friend of mine in Kirin, an American, had some of his oak cord wood purchased for fuel, properly cured and made up into first class furniture. As a result of this demonstration, several carpenters in Kirin have started to manufacture oak furniture and with success and profit. This merely shows what can be done. I believe that at Kirin as at Harbin great lumber utilization plants could be established, but before this is done, however, the timber areas of this part of the country should be carefully investigated and put under proper forest supervision as previously suggested for the Hingan mountain region.

In general, Manchuria appears to me as a vast fertile area with its great resources but poorly or improperly utilized. The most important necessity is population. Agriculture should be extended and as population increases, intensified where possible. The large grazing areas of the north should be utilized for the raising of cattle and sheep. The present forest lands as well as those not now forested but which are suitable for the raising of forests should be put under suitable management. Along with these should be developed in the cities properly situated for such purposes like Harbin and Kirin manufacturing plants for the proper handling of the products, especially for the preparation and use of the meat products and the lumber resources. If these things are carried out, Manchuria will become one of the most prosperous parts of the world. It is already one of the most rich in natural resources and possibilities. These undertakings, it is hoped, will be carried out some day and before long by the Chinese themselves for Manchuria is a Chinese territory and they should receive the reward.

America's Foreign Trade Depends on Income Tax Decision

THE Supreme Court of the United States and Congress will both give attention this winter to the issue over the payment of income tax by Americans residing abroad. The test case of George W. Cook vs. Galon L. Tait, United States collector of internal revenue for the district of Maryland, is well up on the docket of the Supreme Court; and it is expected to be decided before returns for 1923 income tax have to be filed next March. In Congress, amendments to the China Trade Act presented by Representative L. C. Dyer of Missouri at the present session, include exemption of Americans in China from income tax, so that the entire question of income taxation of Americans abroad will probably be considered. Though the question is before the highest legislative and judicial bodies of the United States, and the executive branch of the government has expressed the opinion that Americans abroad should be exempt from United States income taxation, there is no certainty that the issue is to be settled finally. Thus far, the courts have decreed that it is a matter for Congress and the Senate sustained the opinion of Senator La Follette that it was a question for the courts to decide. If those stands are respectively maintained, Americans abroad will continue to be subject to income tax but the United States will be without power to collect though the treasury department through the consular and diplomatic officials abroad might withhold American citizenship privileges from those refusing to pay income tax and make it extremely uncomfortable for Americans returning to the jurisdiction of the United States.

The American Chamber of Commerce of Mexico has taken the lead in bringing the issue before the courts of America. George W. Cook is a resident of Mexico and a member of the American Commerce Chamber there. In 1922, the Chamber raised about $10,000 gold and underwrote

another $50,000 to secure the services of Charles Claflin Allen, of St. Louis, a constitutional lawyer of repute who has been vice-president of the American Bar Association and president of the Missouri Bar Association. Arrangement was made with the internal revenue department and the federal district court at Baltimore to have the case taken to the Supreme Court. When Judge Allen filed the case of George W. Cook in the Baltimore court, the United States district attorney immediately filed a demurrer, which Judge Rose sustained in a ruling handed down in January 1923. Judge Allen thereupon appealed to the Supreme Court. The opinion of Judge Rose, in part, follows:

"In a report of the British Royal Commission on Income Tax....there is to be found the statement: 'Although the United States of America charge also the income of a citizen even if he resides abroad, this may be regarded as an exceptional method of taxation, and the results in revenue depend, presumably, in a great measure on sentiment and patriotism.'

"An examination of the accessible laws of all leading countries confirms the accuracy of the above quoted statement, and seems to indicate that this country is probably the only one which attempts to tax a non-resident citizen upon income which he derives from property permanently located in foreign lands. The Supreme Court has said: 'It may be doubted..speaking in a general sense, that the taxing power, when exerted, is not usually applied to those even albeit they are citizens who have a permanent domicile or residence outside the country levying the tax. Indeed we think it must be conceded that the levy of such a tax is so beyond the normal and usual exercise of the taxing power as to cause it to be, when exerted, of rare occurrence and in the fullest extent exceptional. This being true, we must approach the statute with the purpose of ascertaining whether its provisions sanction such rare and exceptional taxation."

"Shortly after the beginning of the Civil War, the demand for revenue compelled the Government to resort to an income tax. Section 49 of the Act of 1861, limited the imposition to incomes of persons residing in the United States, or derived, by a resident abroad, from property within this country. Section 16 of the Act of 1864 assumed to tax the income of every person residing in the United States, and of every citizen of the United States, residing abroad, whether that income was derived from sources within or without the United States, and the same purpose has been clearly manifested by every subsequent enactment levying a tax upon income, although Section 262 of the law now in force provides that under certain circumstances not existing in the case of plaintiff. (George W. Cook), gross income includes only that derived from sources within the United States.

"Article 3 of Regulation 63, promulgated by the Commissioner of Internal Revenue and approved by the Secretary of the Treasury, under the Revenue Act of 1921, provides: 'Citizens of the United States, except those entitled to the benefits of Section 262....wherever resident, are liable to the tax. It makes no difference that they may own no assets within the United States, and may receive no income from source within the United States.'"

"There is really no room for question that Congress has sought to tax the plaintiff's income, and has used words apt to accomplish that purpose. Even so, he says it has done a vain thing, for it has no constitutional power to submit him to that burden....He asserts that the income here sought to be taxed, arising as it does from real and tangible personal property, having a permanent location, is a direct tax....He then argues that no one has ever contended that Congress could levy a direct tax upon property in a foreign land.... The plaintiff contends that one state of our Union may not levy a tax upon real or tangible property, having a permanent location in another, even when the owner is one of its resident citizens.

"Upon the assumption that an income tax is a direct tax, and is levied upon property outside of the United States, the plaintiff's reasoning is clear and simple....One adverse criticism of it is that it is clearly established that since the adoption of the Sixteenth Amendment, an income is never a direct tax. The effect of that change in the Coustitution was to take a tax upon income derived from sources which had therefore made it a direct tax out of that category, and put it in the class of excises, duties, and imposts.

"Nevertheless the plaintiff insists that before the ratification of the Sixteenth Amendment, an income as it was tax, clearly not a capitation tax, was either a direct tax subject to apportionment among the States, or was an excise, which must be uniform throughout the United States....The Amendment does not make taxable anything which could not have been previously taxed.

"Before the adoption he contends that he has demonstrated that Congress could not lay a direct tax upon property in foreign countries, and he asserts that it is equally well settled that its authority to impose duties, imposts and excises was limited to territories of the United States.

"The conclusion of some of the most eminent tax-writers, it is argued, negative the power of a state to tax its non-resident citizens upon income derived from property not within its borders, and the conclusion was put, in part at least, upon a ground which negatives the existence of an analogous power in the Federal government. In so contending, it is probable that the existence of certain important practical differences between the relations of a State and of the United States respectively to their non-resident citizens have been lost sight of. One of our American states has little or nothing it can give to one of its citizens who takes up his residence beyond its borders.....On the other hand he may demand the protection of the United States, and often does.....To be in a position to afford it, the government must maintain diplomatic and consular representatives abroad and keep up land and sea forces. In easily conceivable cases, the attempt to assert his rights may involve his country in the expenditure of billions of dollars and hundreds of thousands of lives. If he wish to retain a citizenship which may cost his native land so dearly, it is not altogether unreasonable to require him to contribute to its support. Text-writers of high authority here and abroad have assumed that he may be lawfully called upon to do so.....More than half a century ago, Hamilton Fish, then secretary of State, on December 13, 1870, wrote to Mr. MacVeigh, one of our ministers abroad, to the effect that long continuance by a citizen of the United States in failures to make income tax returns would, as a general rule, justify the refusal of a recognition of his claim to protection. The Supreme Court itself has said that it did not in the slightest degree question that there was power to impose an excise duty upon a foreign built yacht owned by a citizen although he was permanently domiciled abroad.

"As to the policy of taxing our non-resident citizens upon their foreign located property, minds may differ. It may be said that it scarcely comports with the dignity of the government to impose a tax, the collection of which it has little power to enforce, and that it is not just to tax a citizen who, because he dwells abroad, ordinarily receives from us little at the same rate which is levied upon those who are in daily enjoyment of all the benefits the government bestows. Weighty as these arguments may seem to be, they should be addressed to Congress and not to the Court." For the above reasons, Judge Rose sustained the demurrer.

Harvey A. Basham, counsel of the American Chamber of Commerce of Mexico, has prepared one of the ablest arguments against taxing Americans abroad, from commercial and political standpoints. His contentions are, in part:

"The levy of the income tax upon the American citizen resident in Mexico, results in his being subjected to a double taxation. While up to the present time, no direct income tax, as such, has been imposed by the Mexican government, taxation in every practicable form has been decreed and increased seemingly to the fullest extent deemed possible. The American resident in Mexico pays these heavy taxes. To this there can be no objection, since Mexico's revenue must be derived from property and business within her territory, and in return she is expected to give such protection and guarantees to the American resident within her borders and to his property within her jurisdiction as are justly to be expected from a government which functions efficiently, while at the same time he is entitled to receive in compensation for taxes paid all the benefits of such a complete federal, state and municipal service as is necessary to protect him in the full enjoyment of his personal and property rights.

"This relation of reciprocity does not exist as between the American citizen resident in Mexico and the American government, since his person and property in Mexico are beyond the jurisdiction of the American government and he is unable to enjoy its police protection and the guarantees afforded by the Constitution of the United States and the federal, state and municipal statutes.

"In this connection it may be argued that the American citizen resident in Mexico enjoys the privilege of the diplomatic protection of his home government. In view of this privilege which pertains to his American citizenship, it would seem reasonable and just to impose upon him a tax in a fixed sum in the nature of a non-resident citizenship tax, basing its amount upon a fair estimate of the ratio between the benefit he enjoys through the privilege of diplomatic protection, and the benefit he would receive were he and his property located within American territory.

"European and Asiatic governments notwithstanding their great need of revenue, consider that to tax their nationals resident in Mexico upon their property located in Mexico, or their incomes derived from interests in that country, is unwise and unjust. It is seen that the United

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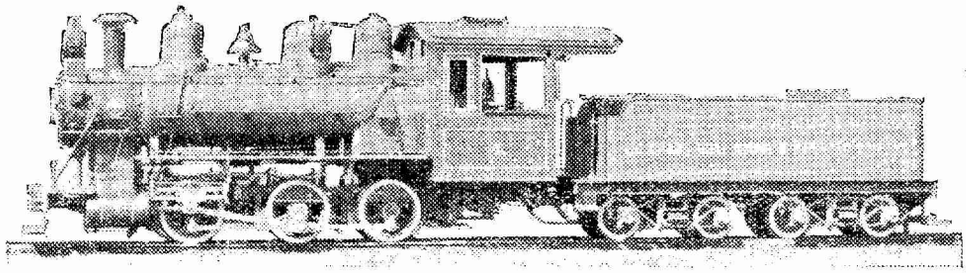

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States, the richest country in the world, is the only one which taxes its nationals resident in Mexico.

"The imposition of the income tax upon the Americans resident in Mexico is tantamount to penalizing him for his non-residence, since to be compelled to pay the full measure of taxation in both Mexico and the United States is to carry a burden which places him at a distinct disadvantage as compared with his fellow citizens in the home country or the Mexican citizen living in Mexico.

"The unwisdom of so penalizing the American citizen resident in Mexico should be considered from two points of view, one commercial and the other political. It needs no argument to convince the American people that especially in view of the experience gained in the past six years and the new world status created both as to international trade and political relations, the future prosperity of our people and the degree of our political prominence on the formulation and execution of world policies will depend very largely upon the development and expansion of our foreign trade.

"The instrumentalities which must be employed to achieve this great national purpose of expansion of foreign trade are many, but among them none is of greater importance, nor entitled to greater consideration and encouragement and protection than the human instrumentality, and that human instrumentality is the American citizen resident abroad. To send the occasional traveler or salesman to visit the trade of a foreign country is merely to seek the crumbs, for the great loaf of foreign trade is seized by the man always on the spot. To impose upon them an American income tax when they are already subject to the heavy taxes levied by the country of their residence, is to place upon them a handicap in their efforts to sell American goods in competition with the nationals of other countries resident in the same communities, whose governments wisely refrain from imposing such a tax upon them. A tax is an expense, and increases the cost of American goods to the American businessman resident abroad who deals in them. He is placed at an economic disadvantage with the European or Asiatic who can undersell him, not only on European or Asiatic goods but on American goods as well, by reason of exemption from taxation by his home government.

"From the political point of view it is sound public policy for a government to conserve a class of citizens which is conspicuously useful in the expansion of foreign trade of the nation, and essential to the upbuilding of the national prosperity, world influence and prestige. The natural and inevitable consequence of the imposition of the American income tax is to bring about a condition which tends to force that citizen to relinquish his American citizenship and adopt that of the country in which he lives. We contend that taxation which is productive of the inevitable tendency above described is against sound public policy.

"The governments of Great Britain, France, Belgium, Japan, China, Cuba, Italy, Spain, Argentina and Norway impose no income tax upon their citizens living and doing business abroad."

To the same end, Secretary of Commerce Hoover has expressed himself. "We cannot have a Merchant Marine without an army of American merchants in foreign ports This is the foundation of our British competitors. Despite our expanding export and import trade, the number of our merchants abroad has decreased in late years. The taxation policies of our government have been to a considerable degree responsible for this situation. We are asking our people to expatriate themselves in order to sell American goods and manage American ships. Our own government demands in income and corporation taxes up to 58 per cent of the profits of our merchants resident abroad. They also pay taxes to the government where they reside. Thus we demand they pay double taxes. We are the only nation who does such a thing. For instance, an American merchant firm in London today must pay British taxes amounting directly or indirectly up to 50 per cent of his income. The American government comes along and claims the same sum or even more. In countries such as the Argentine, the British merchant pays no taxes to his home government, whereas our merchant must pay taxes in full. It is therefore felt by many as more economic for Americans to stay at home and sell their goods in the Argentine through a German or British merchant.

"Before the war, there were at least 1,000 American engineers employed at substantial salaries in the territories of our former allies. I doubt whether there are 100 of them left in foreign territories today. A vast amount of American machinery and equipment that followed in their wake has dried up."

Scene in the Vicinity of Pagsanjan River. The Corrugated Tin Roof Is Supplanting the Nipa Palm Among the Filipinos

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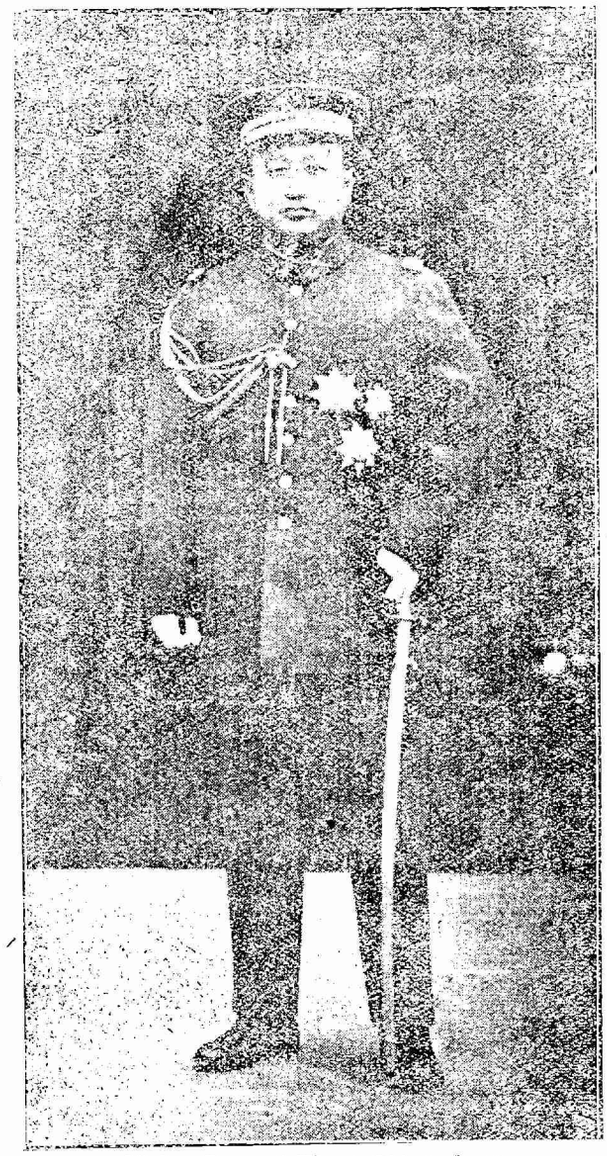
Who's Who in China



Major-General Wang Ching-cheng
汪慶辰存幼農

Major-General Wang Ching-cheng, chief of staff of General Ho Feng-lin, Military Governor of Sunkiang and Shanghai, is 44 years old and was born in Yihsien, Anhui. He graduated from the Peiyang Military College in 1904, in which year he left for Japan to enter the National Military Academy of Japan, completing his course in this institution in 1906.

Following his return to China, he was appointed instructor of the Peiyang Army and chief of the educational section of the Peiyang Training Bureau and other offices. Upon the establishment of the Republic, General Wang became garrison commander of the Fourth division of the Peiyang Army Corps and was later transferred to be superintendent of the Commissariat of the National Training Corps, concurrently acting as councillor of the Bureau of the General Staff and War and Senior Councillor of the Precautionary Forces of Shantung.

Besides being chief of staff of General Ho at present, Maj-Gen. Wang is also commander of the Woosung Forts and co-director of the Kiangnan Arsenal at Shanghai. He was considered as one of the most capable soldiers of the time during the Yuan Shih-kai regime and since his appointment at Shanghai, has won for himself an enviable reputation not only as a soldier but also as General Ho's advisor on local matters arising out of his office.

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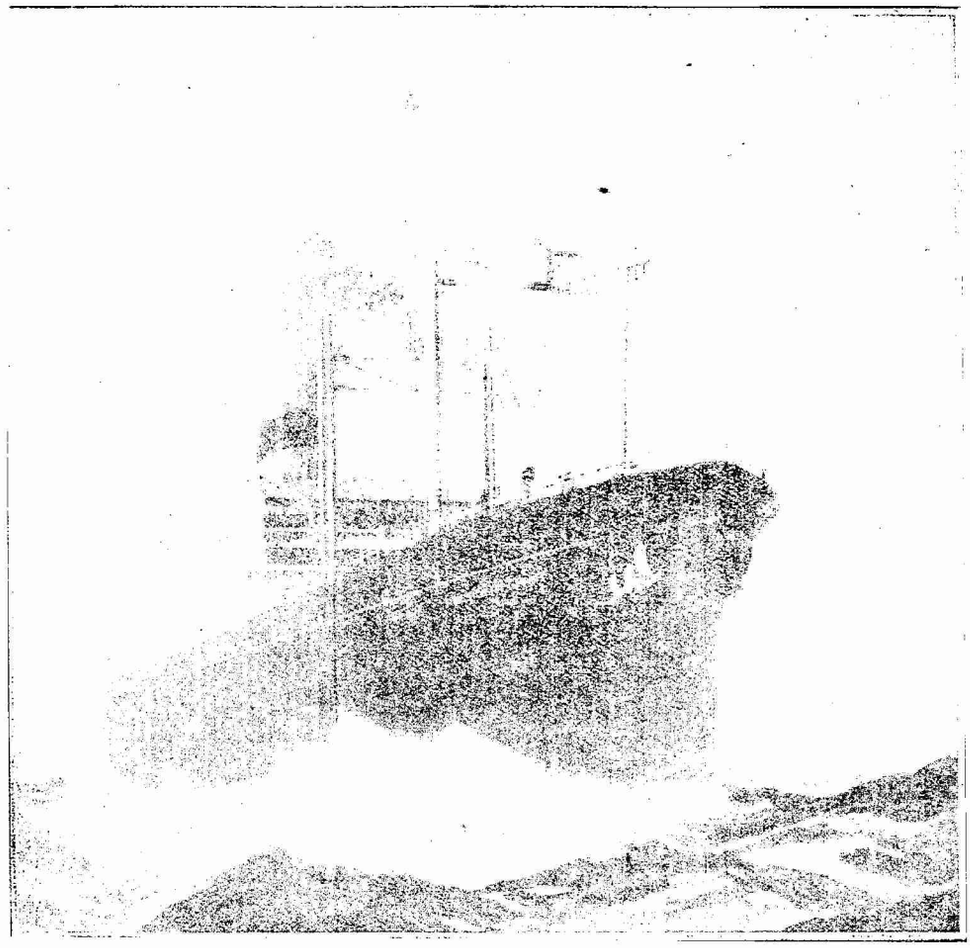

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Mr. Fei Ch'i-hao
費起鶴字雲舉

Mr. Fei Ch'i-hao was born at Tung Hsien, the Metropolitan District, in 1879. He studied at the North China Union College, Tung Chow, and graduated there in 1898.

After graduation Mr. Fei became a teacher in the Oberlin College, Tai-kuo Hsien, Shansi Province. Between 1899 and 1900 he was teacher of the Fen Chow Middle School, Shansi.

Mr. Fei arrived in America in September 1901 with private support to study. He prepared for college at Oberlin Academy between 1902 and 1903. From 1903 to 1906 he studied Liberal Arts at the Oberlin College and graduated from it in 1906 with the degree of B.A. Then he entered the Yale University and received the degree of M.A. from it in 1907.

From 1907 to 1908 Mr. Fei was principal of the Putung Middle School, Tientsin. From 1908 to 1911 he was president of the Chihli Provincial College, Paotingfu.

In 1911 during the first Revolution which broke out in Wuchang, Mr. Fei was appointed by the provisional government to be Councillor of the Minister of Foreign Affairs. Later he became a political Councillor. In the provisional government at Nanking he was a Deputy of the Minister of Education.

In 1913 Mr. Fei became secretary of the Peking Y.M.C.A. in charge of the department of the intellectual education, which position he is still holding. Besides, he has been for many years and is still the president of the College of Economy and Commerce, Peking.

Mr. Kao En-hung
高恩洪字定庵

Mr. Kao En-hung was born at P'eng Hai Hsien, Shantung Province, in 1875. He studied in the Temple Hill College, Chefoo. He completed his studies at King's College, London, where he remained for six years.

Returning to China he was first attached to the Chinese Amban in Tibet from 1907 to 1909. He was next appointed secretary to ex-President Hsu Shih-chang who was at that time director-general of the Tientsin-Pukow Railway. Later he became secretary to the Governor of Mukden, who was no other than Mr. Tang Shao-yi.

In 1910 Mr. Kao was transferred to the Board of Communications, then known as Yuchuan Pu, and in 1912 he was appointed secretary to the Szechuan-Hankow Railway Administration and concurrently director of the telegraph office in Hankow.

In 1914 Mr. Kao was made director of the Szechuan-Tibet Telegraph Administration, with headquarters at Chengtu, and in 1916 he was appointed director of the Department of Telegraph Materials in Shanghai.

In September 1920 Mr. Kao was given the concurrent position of a member of the Counselor's Hall in the Ministry of Communications. In February 1921 he was conferred the Third Order of Chiaho.

In May 1922 Mr. Kao was appointed Acting Minister of Communications. In June 1922 he was ordered to act concurrently as Minister of Education. In July 1922 he was conferred the First Order of Tashou Chiaho, and in October 1922 the First Order of Tashou Paokuang Chiaho. He held the post of Acting Minister of Communications until January 1923 when he retired to private life. Mr. Kao's name has been registered as candidate for the post of Minister Plenipotentiary to a foreign country.

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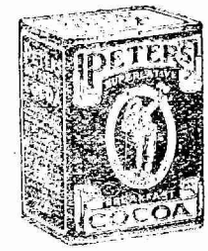

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Men and Events

F. C. Noble, formerly with the American Trading Company, Shanghai, is now in New York City with the Certainteed Products Corporation, 100 East 42nd., Street.

F. M. Thebo, an engineer of San Francisco who has been in China for some time investigating conditions, departed last week for home. He expects to return to China within a few months.

U. S. Consul-General and Mrs. Cunningham left last week for Hongkong and Manila, for a several weeks visit owing to the ill health of Mrs. Cunningham. Mrs. Cunningham is recuperating from a severe attack of tonsilitis.

Sir Cunliffe Owen, director of the British American Tobacco Company in London, accompanied by William Morris of the British American Tobacco Company, Shanghai, departed for Hankow last week on a business trip of inspection.

Captain Robert Dollar was guest of honor at a fellowship luncheon given at the Union Club on Friday, December 28, and guest of honor at a dinner given by the missionaries of Shanghai, at the Palace Hotel, to Captain Dollar and the members of the American Chamber of Commerce, Shanghai

Attractive desk pads and useful calendars have been sent out by Messrs. Carl Craw, Inc., advertising agents, 6-B Kiangse Road, Shanghai, to various firms in Shanghai. The pads are bound with red leather and on the calendar have noted the holidays.

The new buildirgs of the Shanghai American School, 19 Avenue Petain, were officially opened on Wednesday, January 2, when Captain Robert Dollar delivered the formal dedication address, at 5 o'clock, following tea and a reception held in the dining hall of the school. A large number of Americans and their friends were present.

Dr. J. J. Heeren, accompanied by Mrs. Heeren and their child, departed last week for England on leave of absence which Dr. Heeren expects to spend in doing graduate work at the University of London. Dr. Heeren is connected with the Shantung Christian University at Tsinanfu. Dr. and Mrs. Heeren's address in England will be at The Highlands, Shinfield Road, Reading.

The marriage took place in Peking of Dr. Low Chen-wen of Shanghai, and Miss Pai Hsin-lan, a nurse at the Peking Union Medical College, on December 25. Mr. Low received his education in America and is now a consulting physician to the Red Cross General Hospital in Shanghai, Dr. and Mrs. Low will make their home in Shanghai and be at home to their friends at 21 Haining Road.

Sir Robert Hotung will be given a joint farewell reception at the Chinese General Chamber of Commerce, Friday afternoon, January 4, at 4 o'clock, the hosts being the Chamber of Commerce, the Kiangsu Educational Association, the Shanghai Banker's Association, the Shanghai Native Bank's Guild, the World's Chinese Students' Federation, the Shanghai College of Commerce and 50 other organizations.

Dr. George Danton, a member of the staff of Tsing Hua College, has lately accepted the offer of the University of Leipzig, to give a course in contemporary Chinese Civilization, in exchange with Professor George Weitkowski, who will join the staff of Tsing Hua for a year. Professor Weitkowski is the brother of Maximilam Harden, the noted German publicist. He is the author of several works, among which are the "Life of Goethe," "History of the German Drama in 19th Century," and others.

Members of the American Chamber of Commerce were entertained at dinner on Friday evening, December 29, by the missionary organizations of Shanghai, Bishop L. H. Roots presiding. As a result of the dinner it was voted to bring about closer cooperation between the missionaries and business men in China, with a view to furthering American interests in the Far East. A committee of six, consisting of three missionary representatives and three business men as members of the American Chamber of Commerce, was appointed to work in cooperation.

A banquet was given by Hon. C. F. Hsu, the Commissioner of Foreign Affairs, in honor of Sir Robert Hotung the promoter of the Round Table Peace Conference, at the Bureau of Foreign Affairs on Sunday December 30, Dr. Hsu En-yuen, formerly Gorvernor of the Bank of China and now vice-president of the Chinese-American Bank of Commerce, C. P. Fang, chairman of the Chinese General Chamber of Commerce, Shen Chu-shu, president of the Chinese Bankers' Association, were among the guests. The host delivered a farewell speech to which Sir Robert responded.

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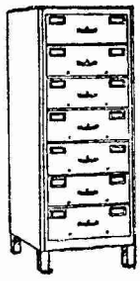

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The death occurred on Thursday, December 28, of Edward H. Murray, formerly connected with the United States Court for China and later with the American Postal Agency, Shanghai. He was found dead at his home, 65 Bubbling Well Road, due to heart failure. Mr. Murray was a native of California and came to China seventeen years ago as a clerk in the Quartermaster's Department of the United States Army. He later went to Hongkong with an American business firm but returned to Shanghai where he was associated with the U. S. Court and American Postal Agency. He was sixty one years old. Funeral services were held at Bubbling Well cemetery on Friday afternoon, December 28.

On Saturday, December 29 at 2 p.m., the Popular Education Students of the Chinese Y.W.C.A. held a Christmas rally. All of these are girls and women who are illiterate. Some are too poor to go to a regular school, and some of the women have not time to go to school all day, since their household and children take most of their day. They come to these classes for one hour and a half each day. The aim, is to teach them at least one or two thousand of the most common characters, with which foundation they can read signs, letters and easy papers—and write simple letters. At the Christmas rally, each student brought a daughter or son—or sister or brother—under two years old—and there was a baby show, with prizes for the prettiest and healthiest.

News from North China

After the dissolution of the Parliamentary guards by the Metropolitan Police under the order of the Minister of Interior, Kao Ling-wei, Wu Ching-lien, ex-Speaker of the House of Representatives, deprived of his chief weapon in the House fight, secretly left Peking for Tientsin in a motor car in the early morning of December 21. He was accompanied by two of the commanders of the Parliamentary guards who took part in the previous fights in the House and who were wanted by the local authorities.

Following the demand of the Senate that General Huang Fu, now Minister of Education and formerly Minister of Foreign Affairs, and Wang Ke-ming, Minister of Finance, should be punished in connection with the reported acceptance by the government of the French demands in the Gold Franc case, the government has rejected the Senate's demand on the ground that the Senate has no power to demand the punishment of any Cabinet member and Mr. Wang has not done anything that deserves the demanded punishment.

In connection with the Gold Franc case, General Wu Pei-fu has also sent a telegram to the M. P's. stating that he has advised the government to keep the public informed as to the final decision of the issue.

The Chinese Social and Political Science Association of Peking held its annual meeting December 28, in the reading room of its library. Reports were made and new officials for 1924 were elected. Mr. Escarra spoke on "Western Methods of Researches into Chinese Law."

K. P. Chen, general manager of the Commercial Savings Bank of Shanghai, is now in Peking looking for a suitable site to start a branch office here to facilitate remittances between Peking and Shanghai. The bank may also start a tourist department to sell railway and steamer tickets.

Dr. J. M. Coulter, head of the biological department of the University of Chicago gave a speech December 23, in the Y. M. C. A. auditorium on "The Supreme Need of the Day—A New Spirit."

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The cartridge with 20 yards longer range than any other. Specially designed for Wild Fowl.

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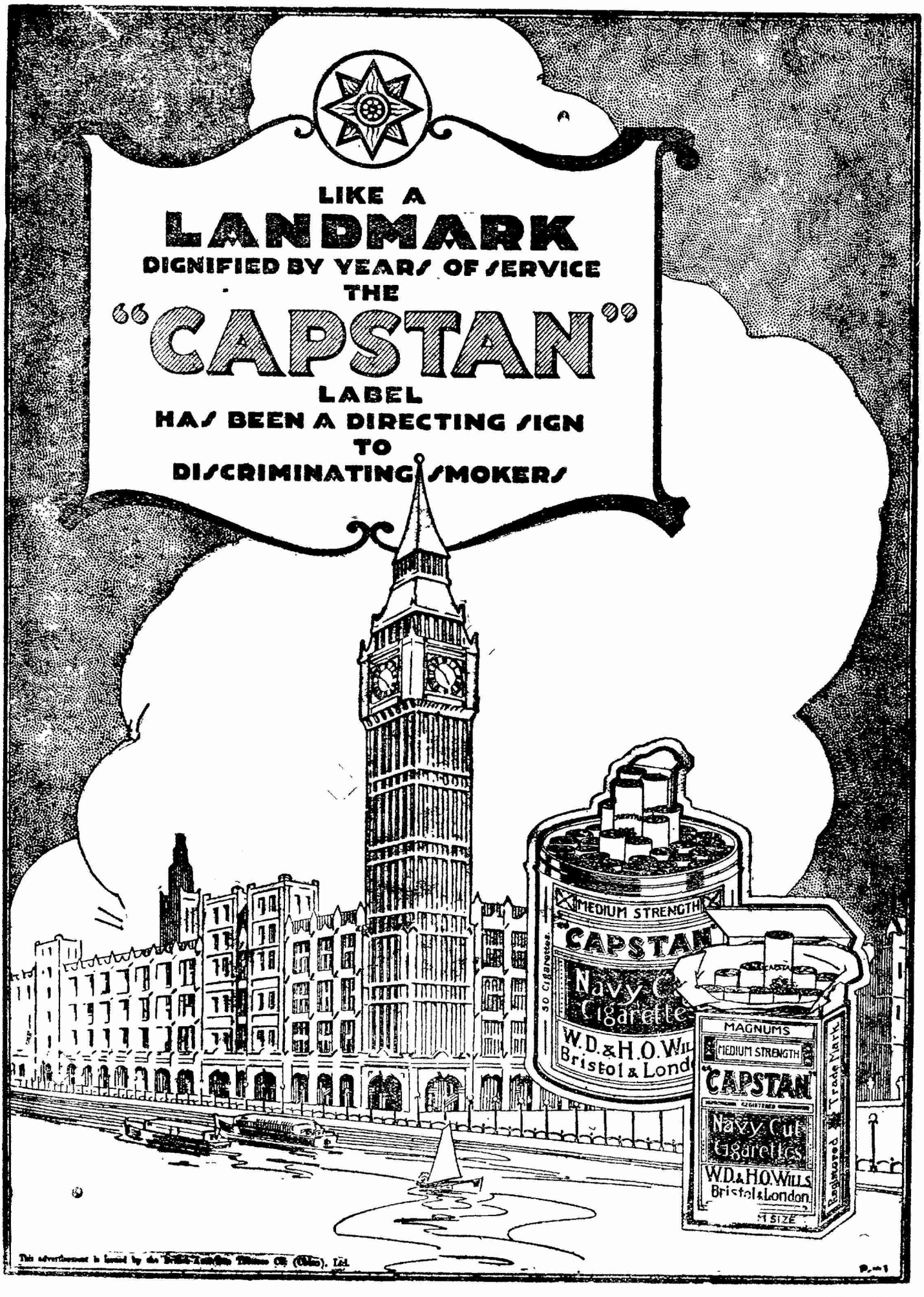
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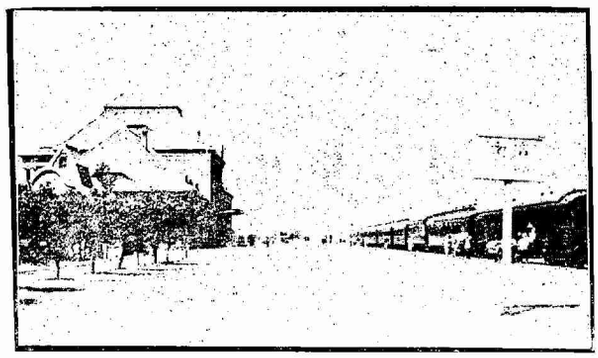
27-247

A Train That Is Rarely a Minute Late



Shantung Railway Train at the Tsinanfu Station
Preparing to Start on Its Daily Run to Tsingtao

Kiaochow-Tsinan Railway

The Kiaochow-Tsinan Railway running from Tsingtao to Tsinan is 394.06 kilometres in length and has 50 stations on the main line and 6 on branch lines. It has over 1,000 bridges and culverts, of which 107 bridges are of 100 ft. spans or more and 562 masonry, arch, box and pipe culverts, and over 1,960 pieces of rolling stock, including 108 locomotives, 1,661 freight cars, 196 passenger cars. The lines run through the most important and historical places of Shantung Province, while the surrounding towns and cities abound in picturesque scenery. In order to give every facility to the travelling public, this railway has joined the Domestic Through Traffic arrangements with the Chinese Government Railways and China-Japan Through Traffic with the Japanese Government Railways.

In the United States Court for China

THE DUNLOP RUBBER COMPANY (CHINA), LTD., Plaintiff
vs.
H. R. EMERY, carrying on business under the name and style of THE MOTOR CAR SALES CO., Defendant.

Cause No. 2361
Civil No. 8 1
SUMMONS

The President of the United States of America

To the United States Marshal for China and his Deputies—

GREETING:

You are hereby commanded to serve this Summons and a copy of the complaint in the above entitled action upon the defendant—

H. R. Emery, carrying on business under the name and style of The Motor Car Sales Company

if found within the jurisdiction of this Court and to notify him to be and appear before this Court on or before the twentieth day after service hereof to file his written answer on oath.

(SEAL) WITNESS the HONORABLE CHARLES S. LOBINGIER, Judge of the United States Court for China, at Shanghai, China, December 11, 1923.

W. A. CHAPMAN
Clerk.

Excerpt from Regulations, Section 8: On proof of due notice, judgment by default shall be procured against any defendant failing to appear and file his written answer as required.

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Dr. Don Francisco Najera, Mexican Minister to China, called upon President Tsao Kun on December 20 to bid fare-well before his departure for Mexico which took place December 23.

Mr. Karakhan, the Russian Envoy recently sent to the Chinese government a note protesting against the practice of the Kiangsu governor in the identification of good Russian citizens with non-Bolsheviks. He states that Bolsheviks are the only good citizens of the Soviet Russia.

There appears to be an aerial armament competition between the northern warlords in China at present. A despatch from Mukden states that twelve French airplanes have been bought and delivered there for General Chang Tso-lin and two French aviators accompanied the machines. General Feng Yu-hsiang, the Christian General, has just closed a deal with an Italian concern in Tientsin, purchasing forty airplanes at a total cost of $1,200,000, one third of which has been paid in cash.

The annual dinner of the China Institute of Mining and Metallurgy was held at the Grand Hotel des Wagon-Lits last Friday with J. P. Kenrick presiding.

The Shantung bandits are reported to be rampant again. It is reported that the chairman of the Shantung Provincial Assembly was captured by bandits on his way to Tsinanfu from his home, but he was released on promise to pay a ransom of $5,000.

After the departure of Wu Ching-lien, ex-Speaker of the House of Representatives, the deadlock in the House continues and is still continuing owing to the difficulty of arriving at an understanding between the two rival parties. It is not likely that the House can hold any successful session before the New Year's holidays.

Sun Pao-chi, who was nominated Premier some time ago but whose nomination has not yet received the parliamentary approval, returned to Peking two days ago, but his nomination has not yet been taken up by the House of Representatives owing to the dissention among the M. P's.

The program of the customary Presidential New Year audiences as tentatively drawn up is as follows: The President will at 10 a. m. receive all the specially appointed and directly appointed officials and the Mongolian princes; at 10:40 he will receive the representatives of the Tsing House; and at 11:30, the Diplomatic Corps and the head of the Catholic Church.

Martial law has been proclaimed in Mukden for one month beginning from December 26 to the 26 of the next month as a precaution against the bandit activities at the end of the Lunar year.

Mr and Mrs. R. Sweetman spent the Christmas holidays in Peking staying in the Methodist Mission as the guests of Mr. Davis. Mr. Sweetman is in Y. M. C. A. work in Osaka, Japan, to which place he is returning in a few days by way of Shanghai.

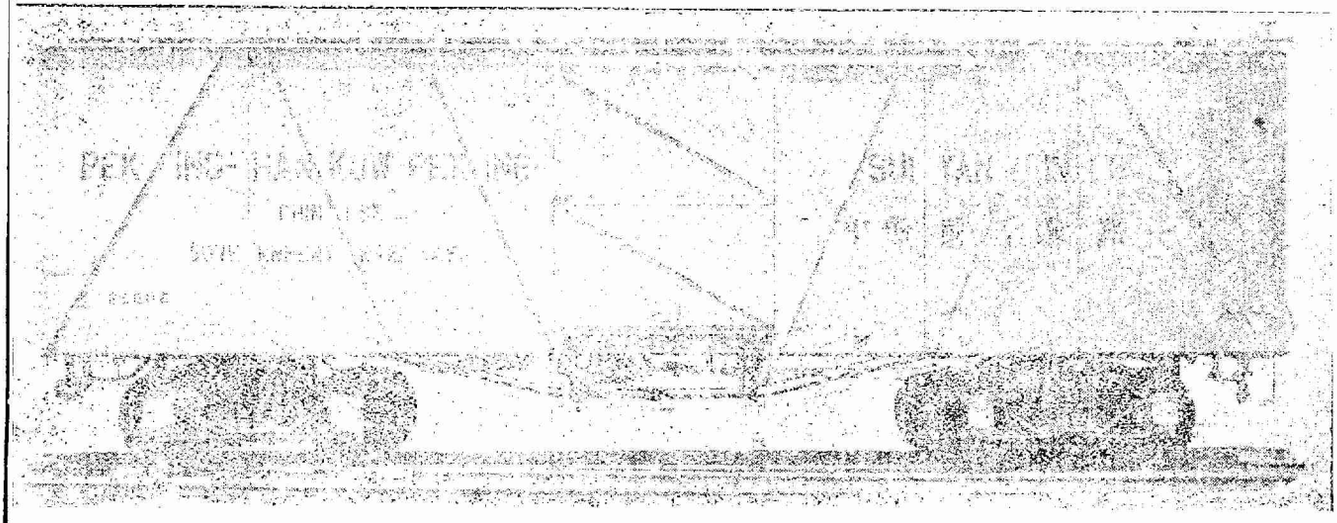
Mrs. Leonebel K. Jacobs, American portrait painter, who has been doing a series of interesting sketches in Peking, left here December 24 for Tientsin where she stays with her friends for a holiday, She will return to the Capital in the middle part of January.

Wang Ke-ming, the Minister of Finance, is reported to have raised more than $3,000,000 to pay the various government offices and the metropolitan police and troops for the foreign New Year.

Dr. Julian Petit Dead

The death occurred on Tuesday, January 1, of Dr. Julian Petit, one of the leading American physicians in Shanghai. Dr. Petit was taken suddenly ill on Monday, stricken with cerebral hemorrhage and died the following morning at 8:30 o'clock, at the Shanghai General Hospital. Dr. Petit was formerly a physician connected with a mission in Wusih, China, and later came to Shanghai where he was associated with Drs. Ransom, Street and Massey. Later he opened his own offices with Dr. Ruth Leonard as his partner. He was first president of the Shanghai Rotary Club and a member of many local clubs in Shanghai. He is survived by a wife and daughter residing in Shanghai. Dr. Petit was 42 years old and a native of Japlin, Mo. and received his education in the state schools of Missouri. Funeral services were held at the Bubbling Well cemetery on Wednesday, January 2, at 4 o'clock, when the Shanghai Rotary Club, Shriners and other local organizations attended in a body, in addition to his host of friends residing in Shanghai.

All the world over



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27-250

News from Central China

Directors Chao Chi-hsien of the Kin-Han Railway has wired to Loyang, Kaifeng, Tientsin and other divisional commanders stationed along the line to prohibit troops from traveling without ticket.

A few years ago local exporters were troubled by the appearance in their consignments of bristles, of a quantity of pig tails, pong tails, and other cheap materials. A local exporter stated that these tactics are being resumed by native dealers this season, and that some of the foreign houses are actually buying such adulterated cargo containing as much as thirty percent of this useless trash.

Teng Chen-chi, chief of the Bureau of Civil Affairs will soon be recalled to Peking, and Yang Hwei-kong, chief of the Bureau of Industry, will take his place and Yang Hsu-feng will be appointed to replace Yang Hwei-kong.

The report that General Wu Pei-fu contemplates building public roads for a motor service in Honan, is substantiated by the fact that the General has instructed his engineers to make a survey of the different localities. It is the intention of the General to open up the provinces by building as many public roads as possible.

Governor Chao Heng-ti has purchased four planes from Shanghai. The Hunan residents in Peking have asked the government to order the customs office to confiscate them. The planes will be used in fortifying Changsha against further attack by rebels.

Military extortions of money are causing no end of trouble to Hunanese. It is alleged that on October 7 and 20 a total payment of $ 200,000 was made to the military equipment office; on October 20 another payment of $25,000 was made to the military transportation office; and other such extortions were levied at Tungan for $4,500, at Huanchow for $100,000, and $200,000 at Liling, Liuyang and other hsiens.

The Wuchang government has obtained approval of the Wuchang Provincial Assembly for the removal of the Civil Governor's yamen to the old Examination Hall, where there is more room. The original site which is situated in the busiest part of the city would be converted into a mart, and a new road and many shops would be constructed thereon.

Two persons burdened with four bamboo poles were held in suspicion by a detective named Hang, as they seemed to be in an uneasy mood. A search was conducted with the result that four pistols were found within the bamboo poles and over one hundred rounds of cartridges were also discovered. It is stated that they were representatives of the notorious brigand chief Lao Yang-jen.

A congratulatory meeting was held in honor of Mr. Glatzner, an instructor in the Foreign Language School in Wuchang. Mr. Glatzner has been a member of the faculty for the past twenty years, and many prominent residents attended, among them being Chen Chieh, Commissioner for Foreign Affairs, a representative of the Tuchun, the German Vice-consul at Hankow, and many others.

Recently Marshal Wu Pei-fu issued a circular telegram stating that having assumed the office of Military Inspector-General of Chihli, Shantung and Honan he would allow the officials in Hunan to manage their own affairs without his interference. At the same time he addressed a telegram to General Chao Heng-ti and others in Hunan assuring them of his good will.

General Mah Chi of Changsha has been ordered by Wu Pei-fu to march his troops into Kwangtung via Hunan, with a view to attacking Canton. He passed through Hankow yesterday enroute to Loyang to have an important interview with General Wu. Reports have it that Loyang will give $500,000 and four mixed brigades to General Ma Chi in order to help him to return to Canton.

At a reception given in his honor by Tuchun Hsiao Yao-nan, Captain Robert Dollar made the offer of a free trip around the world on the newly inaugurated Dollar world service vessels, at any time the Tuchun desires to make such a trip.

General Chin Yun-ao, commander of the garrison troops along the southern part of Peking-Hankow Railway in Honan, contemplated raising two and half percent surtax on all goods to be transported by that line. It was arranged that the imposition would be put in force this month, but on account of the popular attack it has been dropped. However, General Wu Pei-fu has requested Hupeh authorities to remit $36,000 to General Chin every month for the support of General Chin's men.

Last Thursday afternooon Tuchun Hsiao Yao-nan, held a conference at the Hankow Chamber of Commerce at which all the prominent merchants attended. The question brought

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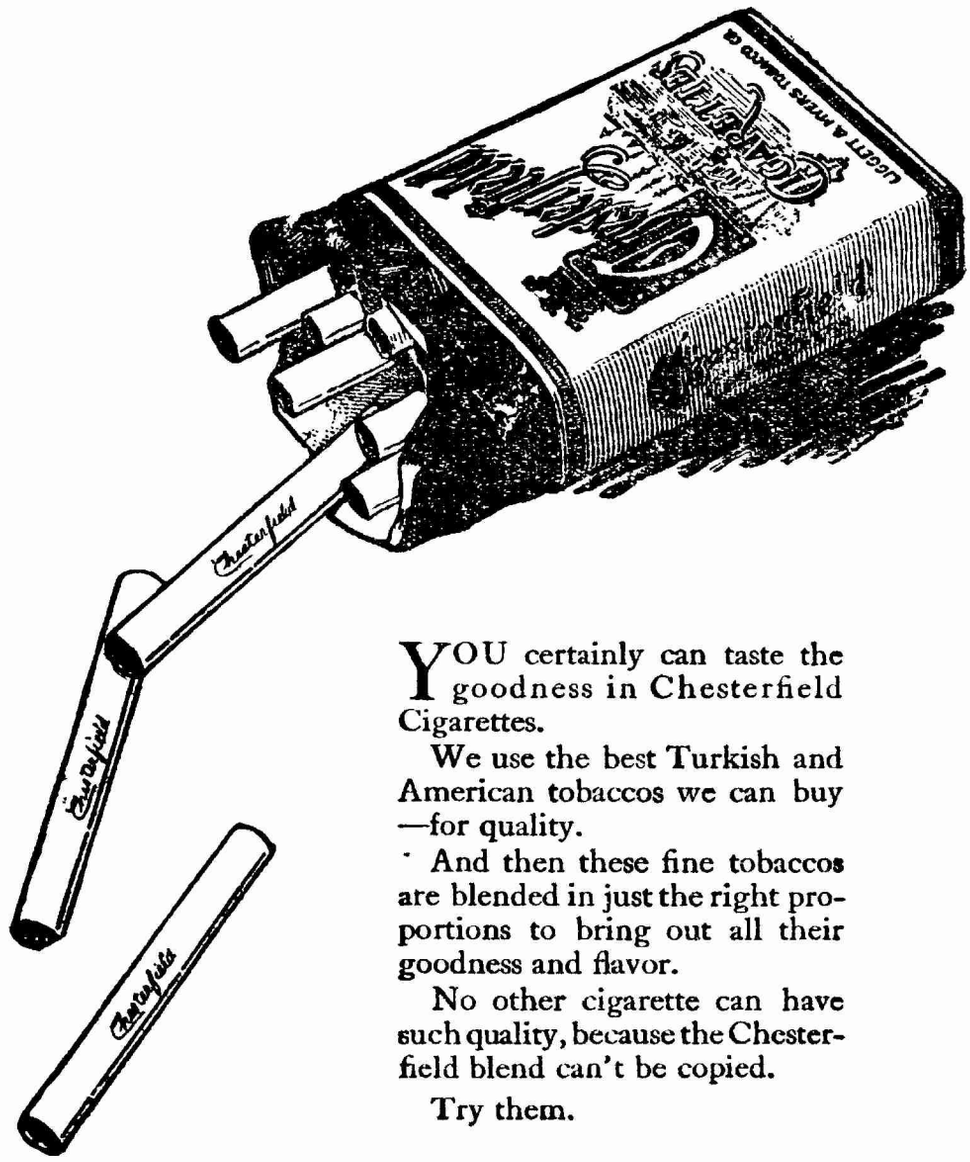

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up for deliberation was the raising of funds for the famine relief in the winter for the whole province. All present were asked to give contributions, with the result that quite a large sum was raised.

A society has been organized advocating popular education as a result of yesterday's meeting held by all the educationalists and chiefs of different societies at Hankow. The District-Magistrate is the moving spirit for the whole organization.

Three headquarters are now being established at Hankow, Yochow and Loyang for the management of affairs in connection with the Super-Tuchun of Hupeh and Hunan. The one at Yochow is intended to supervise affairs in Hunan, while the other at Loyang is to keep himself and General Wu Pei-fu in close touch as hitherto in order to avoid any misunderstanding between them in the future.

General Tsai Cheng-hsun, Governor of Nanchang, has asked the government for permission to use a portion of the customs revenue and stamp tax collections from his own province to pay the arrears due the First Kiangsi Division, which has not been paid for a long time. He desires to use this money to make a payment of one month's salary to his men.

S. H. Gillespie, partner in the firm of L. C. Gillespie and Sons, arrived in Hankow this week on the *s. s. Suiwo*, Mr. Gillespie is accompanied by Mrs. Gillespie and their daughter. Hunter Mann, manager of the company's offices in China, is returning with the party from Shanghai, where he went to meet them. This is the first time in the history of L. C. Gillespie and Sons, that any of the com pany have come to the Orient.

Harry C. Hill, of the Westinghouse Electric International Co., left Hankow today on his return home. Mr. Hill plans to return later in January on a business trip.

The funeral of the Rt Rev. Bishop Gennaro of the Roman Catholic Mission, who died Wednesday night, will be held at 9:00 a.m. Sunday morning in the Cathedral. Bishop Gennaro has devoted many years of faithful service to China, and leaves behind him many monuments of his great endeavors in the way of schools, churches, dispensaries and hospitals for the poor and needy.

The silver stringency being felt here has resulted in a united petition from Chinese Bankers Association, the native Banks Guild and the Chinese Chamber of Commerce in Hankow, being sent to Hsiao Yao-nan requesting him to issue an order prohibiting the exportation of silver dollars to other ports during the winter months.

On account of carrying out of repairs and alterations the Wuchang Government Library has been closed for a considerable period. These have now been completed and it is arranged to have the opening on Christmas day. The library will have both Chinese and foreign books and will be free.

Wuchang is soon to have three public gardens. Work on the first which will be situated near the Yellow Stork Tower, and was part of the premises of the Finance Dept., has already been started and the place will be opened, it is expected for the public by China New Year.

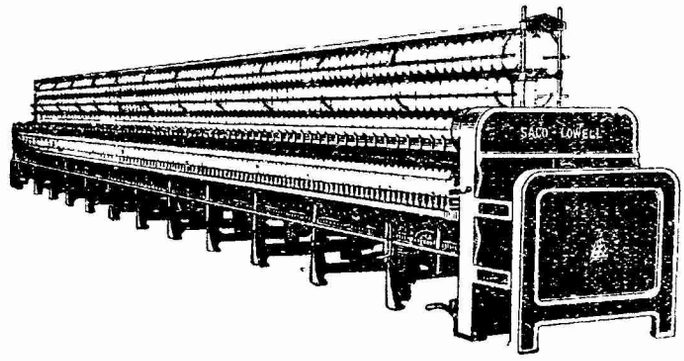
Since Chang Fu-lai gave up the post of Garrison Commissioner of Yochow to take up the position of Tuli of Honan the former has remained unoccupied. Now that Wu Pei-fu has regained his hold on Hunan he wants the Yochow post to be reestablished and has petitioned Peking to appoint Gen. Chen Chiao-mao who is there now, as commissioner.

The Russian Ladies Benevolent Soceity gave a concert at the Russian Club on Wednesday evening. The program given was an interesting one, bringing out as it did a lot of fresh talent, and although the audience was small, owing doubtless that the concert was only advertised one day before it took place, it was enthusiastic.

A special Christmas service for the Navy men in port was held in the Union Church Hall on Sunday, December 23, at 7. 30 p. m. Rev. A. C. S. Trivett, of St. John's Church, spoke, and there was special Christmas music by the Union Church choir. All sailors heartily enjoyed the service.

The Chinese Bankers Association in Hankow will elect four members to be representatives in the tour of Chinese bankers over America next year.

The cigarette dealers in Hankow have now formally organized a Cigarette Merchants Union, The inauguration ceremonies took place in the Fukien Guild in the native city on Thursday, when resolutions were passed calling for united action of cigarette dealers in protecting their mutual interests.



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Last Saturday a mass meeting was held at Wuchang to protest against the appointment by Hsiao Yao-nan of Han Kwang-tso, as director of the Wuchang Development Bureau Four resolutions were passed to request Hsiao to cancel the order, to write to Han telling him not to assume the post, to telegraph the Hupeh Guild in Peking to press the matter and to urge Han to resign. It is now stated that Han is at present residing at that Hanyang Arsenal awaiting developments.

The Chinese merchants in the native city have again brought up the proposal of widening the iron gate at the entrance into the British concessions. They say that now is a good time to effect a change as the Customs House is nearly completed. It is said that a petition will soon be sent to the British Municipal Council.

Griffith John College was the scene of a marriage on Saturday afternoon when Stanley V. Boxer, who has been a member of the Staff for some thirteen years, was married to Miss Jessie Alice Stevens of the China Inland Mission.

The local gentry and leading merchants are at present busily arranging a memorial service to take place in the auditorium of the Hankow Benevolent Association in connection with the arrival of the remains of the ex-Civil Governor Hsin Shou-kang on December 29.

Official instructions have been issued by Hsiao Yao-nan to the 1st, 2nd, 3rd and 4th Mixed Brigades to start a popular educational campaign for every man and officer to know one thousand characters.

Mr. and Mrs. W. Guthrie Kirkhope and G. B. George, of the International Export Company, arrived in Hankow from Shanghai this week. They are returning from furlough to England, Mr. George having been away for three years.

The Chinese papers report that the Japanese Stock Exchange in the Russian concession which is stated will be soon be re-established is amalgamated with five exchanges opened by local Chinese merchants.

The Chung Yuen Mining Company is installing modern machinery in its mines at Chiaotso, Honan province. Hitherto the mines have been worked along primitive lines. Selling agents for this company are the Fu Chung Corporation.

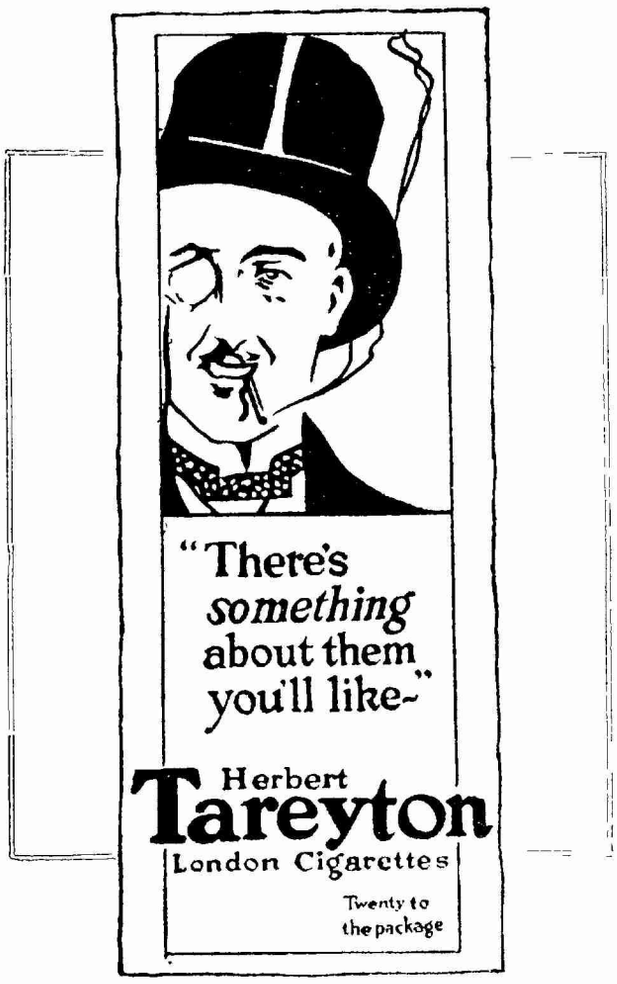
The government telephone administration in Changsha, Hunan province, says the *Economic Bulletin* is offering to turn the telephone system over to private enterprise. The price asked is $300,000. At the present time of political disturbance, practically all rich merchants have left Changsha for fear that the militarists might capture and hold them for extortion. Therefore, no party has yet considered the proposal.

The Hupeh Provincial Bank held another burning of old cash notes before the Assembly building on Thursday. About 2,000,000 notes were burned. It is stated that new notes are issued in large number, while old notes of the Manchu dynasty destroyed by public burning are in far less proportion.

A Chinese cook in the employ of C. Honda & Co. was put into the Japanese Concession Police last week on the charge of theft of watch chains. The coolie committed suicide by hanging himself in the prison. The Chinese organizations in Hankow declare that the cook was strangled to death by the police, as many wounds were found on the body. Protestations were sent to the Japaneset Consul demanding the punishment of Japanese police officers. They also demand the abolition of extraterritorial rights now enjoyed by Japanese in Hankow.

The northerners at Chungking have started a general westward advance, and have been supplied with one thousand cases of cartridges by General Wu Pei-fu. According to telegraphic reports to General Hsiao Yao-nan, they have gone on very successfully.

According to the native press the German Minister at Peking has lodged a protest with the Foreign office against the rumored report that the Hupeh authorities are contemplating to raise a loan on security of the former German



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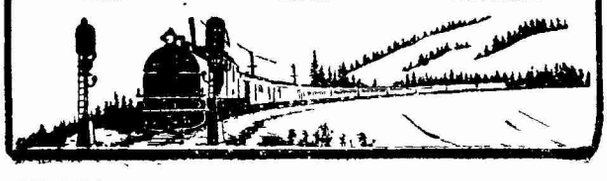

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concession at Hankow. As far as information goes, there is no such rumor in this center.

The ceremony of erecting the tombstone for the late D, M. Karlin, was held at the Jewish cemetery on Thursday, December 20 under the auspices of the Hankow Jewish Association.

General Wu Pei-fu has consulted General Hsiao Yao-nan, Tuchun of Hupeh, for the erection of a long distance telephone between Loyang and Hankow. General Hsiao accordingly wired his approval to General Wu, who at once instructed Tao Ming-chi, engineer of the Ministry of Communications, to proceed to Hankow, where he, accompanied by the engineer of the Wuchang telephone office, Hung Chih-chai, made an inspection of sites for erecting telephone wires.

According to a report received from up river the rice junks are not finding a clear way down to Hankow for forty of their number have been held up by a tax collecting Bureau at Laochinkow near Shasi; their lowdahs having refused to pay the squeeze demanded.

A telegram has been received locally from Admiral Tang Hsiang-ming stating that he is coming down from the Capital in a short time to take over the post of general director of the Wu-han Port Reconstruction Bureau.

The troops which were sent to the Hunan border during the fighting in that province are being moved back. The 1st regiment of Hupeh supplimentary troops which were stationed at Yochow arrived at Liukiamiao on Wednesday. They were then entrained and sent up to Honan to be used for bandit suppression. A battalion of artillery from the 25th Division which has also returned was reviewed by Hsiao Yao-nan on Christmas day after which he gave an address in which he highly praised them for the fine work they had done in Hunan.

News from South China

When Dr. Sun Yat-sen on December 19 sent an order to the Canton commissioner of customs instructing him to henceforth cease remitting what does not belong to Peking from the customs proceeds, he was told to forward the same to Peking, the commissioner being subject to the general supervision of the Chinese inspector-general of customs and willing to comply with all government orders coming from the proper channel. Dr. Sun's order appears to be out of the usual procedure.

As an act of supporting Dr. Sun Yat-sen in his demand for a share of the customs surplus properly belonging to Canton, some leaders of the students and the labor movements have placarded Canton agitating in favor of a boycott of British and American goods, believing these two nationals, through their diplomatic representatives in Peking, have been responsible for the non-compliance of Dr. Sun's request and the presence of more gunboats than usual in Canton harbor.

The more thinking Cantonese are hoping that the customs surplus issue will be amicably settled, permitting the funds whatever amount it may be to go to educational purposes and conservancy works which are outstanding because of lack of financial support in Kwangtung.

From reliable authorities, it has been learned that the amount involved in the customs surplus issue is about $600,000, not millions as some claim; and according to the opinion prevailing here both among the Chinese and the foreign community, the end will hardly justify the means proposed by Dr. Sun Yat-sen to get a part of the customs surplus. So far Dr. Sun Yat-sen has not been advised by the Chinese authorities of the diplomatic corps in Peking that he will not be given a part of the surplus demanded.

Foreign gunboats in Canton on December 20 include the *s. s. Asheville s. s. Pampanga*, and four American destroyers from Manila; H. M. S. *Tarantula, Cicala, Moorhen*, and *Robin* and H. M. S. *Sloop Magnolia*; French ships *Jules Ferry* and *Miscelins;* Italian *Calbria*, and Japanese destroyers *Sugi* and *Sakaki.*

The Americans in Canton have organized a club with quarters in the Chung Mei building, the Second Bund, West, Canton.

Chau Lu, an M. P. from Canton and former salt and finance commissioner of Kwangtung, has succeeded Kin Tseng Ching as president of the Kwangtung Teachers College—now made a national institution by recent mandate of the Generalissimo, Dr. Sun Yat-sen. Through a reorganization of its finance, this college will hereafter be supported by proceeds from certain land taxes which will be separately collected by an agent to be appointed by the civil

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governor of Kwangtung upon the nomination of the president of the college. Aside from this, the college will also receive its regular appropriations from the government.

According to a new order of Dr. Sun Yat-sen, generalissimo of the constitutionalist government in Canton, landlords receiving a rent of less than five dollars will have to lend it to him for war purposes like those receiving five dollars or more. To free one's own self from being pressed into military transportation service in Canton, one may purchase a ticket of exemption costing one, five, and ten dollars a piece to the buyer according to his social standing. An ordinary coolie, when possessing a dollar ticket but still being pressed, may send words to the committee on reconstruction who will cause his release. The ricsha coolies will be ordered to contribute about 15 cents daily each to swell the war chest of Dr. Sun Yat-sen and collect an extra cent for every unit from their customers.

All private real estate in Canton is being re-registered and verified for revenue purpose, a fee of three percent being collected on the value involved in each registration. Dr. Sun Yat-sen has instructed the courts in Canton to hear no more civil cases in which unregistered property is found.

The British section of the Canton-Kowloon Railway is urging the Canton authorities to do their best to improve the political and military situation along the line so as to enable the resumption of traffic, intimating that it will hold the Cantonese government responsible for further loss after the end of the present year. The other Canton railroads, the Canton-Samshui and the Canton-Hankow, Kwangtung section, are running as usual. These roads, however, are still in the hands of the military authorities. The Sunning Railroad, for some time managed by Dr Sun's appointees, has been returned to its owners. Dr. Sun only asking an extra charge of 20 percent for the support of his war.

Fung Wai, director of the Canton Wireless Administration, has complained to the generalissimo, Dr. Sun Yat-sen of the activities of the operators in the radio sections of the several American gunboats now in Canton harbor, Mr. Fung pointing out that some of the acts of the operators are contrary to international regulations.

The Canton-Hongkong telegraphic connections of the Chinese service have not yet been restored, and the wireless stations attached to foreign boats in Canton have been of valuable service to the foreign merchants in this part of China. The American gunboats in Canton are able to furnish good news, sometimes through the receipt of news broadcasting from San Francisco, Cavite, and other places.

War has been renewed in the eastern districts of Kwangtung. Dr. Sun's army of Yunnanese and others is pushing Chen Chiung-ming's followers back to Poklo and Waichow. Dr. Sun is hopeful that he will soon crush his enemy.

Some 20,000 Hunanese troops recently defeated near Changsha are now quartering at Shiukwan, the northern terminal of the Canton Hankow Railroad, Kwangtung section. They have practically commandeered all private houses and public temples for barracks. Their occupation of freight junks for quarters up the North River is interfering with the discharge of goods no little, according to complaints heard in Canton.

The returned students in Canton will have their annual reunion on New Year's eve and those in Hongkong on the following evening.

G. E. Lerrigo, advisory general secretary of the Canton Chinese Y. M. C. A. who was operated upon recently, is rapidly recovering but may not be in his office again for a few more weeks.

Dr. Paul J. Todd, American superintendent of the Kung Yee Hospital, from the largest Chinese hospital in Canton. is in bed suffering blood poisoning acquired while handling a patient.

H. W.

Canton, December 20, 1923.

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The Week in the Far East

(Covering the period from December 26 to January 3)

The Gold Franc Question

The Chinese reply to the French Minister and signatory Powers of the 1901 Protocol aroused much interest during the week past and the interpretation of the protocol shows that as the Chinese government in 1905 definitely elected to be paid in telegraphic transfer in their respective currencies till the debt is extinguished, shows no wavering from the original and no excuse for breaking that arrangement or changing the mode of payment agreed upon for all future payments, in gold currency, not in gold metal. The Waichiaopu, with Dr. V. K. Wellington Koo, as Minister of Foreign Affairs, despatched the answer of his respective government on December 28 to the Ministers of Eight Powers,—Britain, America, France, Japan, Italy, Spain, Belgium and the Netherlands, which was a reply to their joint notes of February 24, and November 3, 1923, in which the Chinese government declines to accede to the demand for Gold Franc payment. Dr. Koo brought out the following points in the note:

"(1) The protocol of 1901 as well as the Arrangement of July 2,1905, provides clearly and indisputably for the payment of the 1900 indemnity in gold but the Chinese government is not sure of the precise meaning which the Signatory Powers attach to the phrase " in gold."

"(2) The Chinese government is inclined to the view that the phrase, correctly construed, means the respective gold currencies of the Signatory Powers in contrast with the Haikwan tael which is a silver standard, and that by "gold" is meant gold currency, not gold metal.

"(3) Belgium, France, Great Britain, Holland, Italy and the United States of America agreed that the methods of payment should be by telegraphic transfer of their respective currencies and this selection of the method of payment was proposed and accepted with the express understanding that it was to remain effective until the debt was extinguished.

"(4) China proposes to continue to make the indemnity payments to the Signatory Powers as heretofore, each according to its own selected method of payment. Some of the Powers appear to intimate that the telegraphic transfer should be so effected that the proceeds would not merely amount to the fixed sums in the respective currencies of these Powers but would also be in gold specie or the equivalent thereof in value. If this should be the view of the Signatory Powers, the Chinese government does not feel able to accept it.

"(5) Telegraphic transfer is a method of international exchange of which the meaning and scope are well known, The telegraphic transfer rate between China and the gold standard countries is constantly fluctuating, even more so than between two gold standard countries, as silver is but a marketable metal in those countries that have demonetized it. The telegraphic transfer rate refers to the money that is current. If specie for one reason or another has been driven out of circulation by currency inflation, as in the case with francs, the money that can be so purchased must be the money obtainable on the market.

"(6) A different application of the chosen methods of payment would be incompatible with the generally accepted practice of telegraphic transfer and contrary to the intent and purpose of the Arrangement of 1905. (Here Dr. Koo calls attention to a difference of opinion as to the precise nature and extent of China's assumed obligations under Article 6 of the 1901 protocol, a difference of opinion brought about by the unexpected rise of the gold exchange rate, causing a deficit in the respective sums in the gold currencies through China paid through the stipulated amount in Haikwan taels.)

"(7) The Chinese government accepted the Arrangement of 1905 and with it the risks of fluctuation of the exchange rate from month to month and year to year because they understood that while they might thus incur losses there might also at times be gains in their favor.

"(8) The Chinese government are of the opinion that the word "gold" as used in Article 6 of the Protocol of 1901 and in the Arrangement of 1905 cannot be reasonably be construed to mean anything than the currency of the Signatory Powers issued on the basis of their respective hold standards and that whatever exchange rates prevail at present or are likely to prevail for some time in future, favorable or unfavorable to China as compared with the Protocol rates, they cannot be considered as a valid ground either for placing a new interpretation on the said Article 6 or for proposing a radical departure from the mode of payment selected.

The Political Situation Unchanged

Outside the fact that Wu Ching-lien, Speaker of the Lower House, and a prospective Premier for the Cabinet, fled to Peking during the week under review with the documents and seals and accounts of House of Representatives to Tientsin, owing to the continued discussions and arguments which mostly resulted in fist fights in the meetings of the Cabinet during the past two months, the situation remains the same. Mr. Wu was later reported to have arrived safely in Tientsin with twelve of his subordinates and took up temporary abode in the Japanese concession. He immediately started sending out telegrams accusing the Chinese government from preventing legislation by armed guards and wanted people to know he had been seriously wounded in a brawl in the House and surrounded by government police. His conclusion to the telegram was that he was still speaker of the House and no acts would be recognized that were not strictly in accordance with the constitution. Other doings in the Cabinet have to do with Chow Shih-chin who brought forward a motion in the Senate to pass a "chaban" against Huang Fu, former Minister of Foreign Affairs, and Wang Keh-ming, Minister of Finance, on the grounds that they were implicated in the gold franc scandal. There were 142 Senators present and the motion was passed without dissent. Later news relative to the departure of Wu Ching-lien stated that his arrest has been ordered and he was found a patient in the Japanese Hospital from wounds inflicted by armed guards when in a meeting in the House of Representatives in Peking.

Other matters of interest in the Capital during the week under review have to do with an announcement to the effect that a new loan for the New Year has been raised and Wang Keh-ming, Minister of Finance has raised $3,000,000 from the salt surplus for the present month and that released by the Banque L'Indo de Chine to meet the government's expenses at the approach of the New Year. Besides expenses such as needed by the Senate, House, President's office, Cabinet, Ministries, educational institutions, Board of Audit, and Administrative courts, and other miscellaneous expenses there will also be a need of two or three million dollars, in addition to the financing of civil wars in Szechwan, Kwangtung and Fukien provinces, to meet the demands of Generals Wu Pei-fu, Hsiao Yao-nan, and Wang Chen-ping, the acting Minister of Finance is said to be negotiating a loan of two

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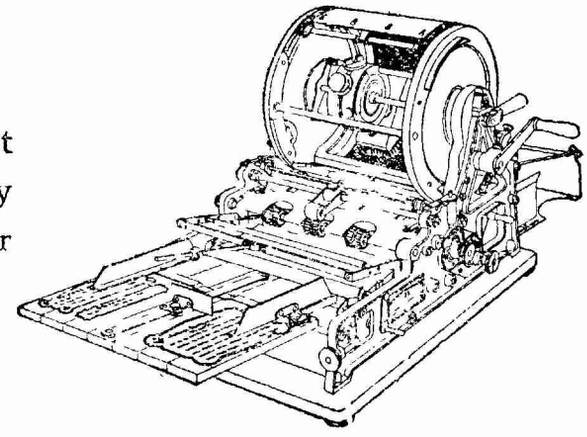

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million dollars with the Hongkong and Shanghai Banking Corporation, and Banque de L'Indo de Chine, to be secured in salt surplus. The final terms for the New Year Loan include $4,000,000 to be allocated before the end of the year.

Dr. Schmalzried Still a Victim Captive

Dr. E. W. Schmalzried, who was captured by bandits near the Kweichow in October border and held for ransom is still a captive of the bandits, although it was rumored he was released. Dr. Schmalzried has suffered hardships at the hands of these culprits and a late report from Hankow on December 21, stated that he was being held without any immediate prospects of release and for some unknown reason one of the bandits when in a rage shot at Dr. Schmalzried and narrowly missed killing him outright. It is said a new official has been sent to Tunjen, and with his help there is hope that some understanding might be arrived at with the bandits. A later report from Peking states Dr. Schmalzried was released last week.

A recent report from a daily paper in Cleveland, Ohio, contained the news of Dr. Schmalzried's early life and of his capture in China. "Dr. Schmalzried was in charge of an Evangelical Hospital at Tungchen, China, and his home is in La Gro, near Urbana, Indiana. He is thirty-five years old, a graduate of Northwestern University, Columbia University, and Orange Memorial Hospital. He was married to a Miss Schroeder, of Geneva, New York. They have been residents in China since 1919, connected with the hospital at Tungjen. The four women who were captured at the same time as Dr. Schmalzried were allowed to resume their journey afterwards."

Dr. Sun Makes an Appeal to British Labor Leaders in South China

Dr. Sun during the week under review has made a strong appeal to the British labor leaders in South China, regarding his position now at Canton. While the state of affairs can't be described as being anti-foreign in their nature, rumors have been current that an anti-American sentiment was growing in the colony, among the native followers of Dr. Sun. The appeal sent to Ramsay Macdonald, included the following information:

"Appeals to British People"

"Dr. Sun Yat-sen has telegraphed to M. Ramsay Macdonald asking him to bring to the notice of the British people particularly the workers, the grave situation which His Majesty's Representative in China has been mainly instrumental in erecting at Canton. My government is being threatened with acts of war by an international force of nearly a score of cruisers and gunboats. Armed soldiers have already landed at Shameen. This is the work of the Diplomatic Body at Peking, at the instance of the British Minister on the advice of the Senior Consul at Canton, who is His Majesty's Consul General, and the Inspector-General of Customs, who is of British nationality.

"Dr. Sun reminds Mr. Macdonald that China, which is admittedly one of the richest markets for British goods, cannot be secured by the gun boat policy of the old diplomacy though it can be won by a policy aiming at the capture of Chinese good will."

The following is a brief summary of the statement presented to the Governor by Eugene Chen, Dr. Sun's representative.

The preamble recites the history of the Customs surplus and gives a recapitulation of the correspondence between the Canton authorities and the Diplomatic Body through the Canton Consular Body. It embodies extracts of the Diplomatic Body's reply to Dr. Sun's threat to seize the Customs.

"Naval Concentration Not Justified"

Dr. Sun Yat-sen asserts that the Foreign Powers are not justified in assembling as they are now doing, their ships of war in Canton harbor in order to protect nominally a disputable right but practically to assist the Peking government to impose its will on the Canton government.

Japan Aroused Over Attack Made on Prince Regent

Tokyo was much excited over an attempt made during the week past to assassinate H. R. H. the Prince Regent, while on his way to attend the Diet Session, on December 27. He was shot at by a young man, but the shot missed its mark and the Prince proceeded to the opening ceremony and delivered his speech unperturbed. The assassin is said to be a man named Daisuke Namba and is in league with a number of plotters. The *Nippon Dempo*, in commenting on the affair had the following to say:

"Reactionaries Attack Goto's Residence"

The desperate attempt by the would be assassin has occasioned activities by the reactionaries in Japan, according to the *Nippon Dempo*. Members of such reactionary organizations as the Kokuryu-Kai and the Sekika-Boshi-Dan threaten to use force for suppression of radicals, and in an attempt to chastise the government officials they consider to be responsible for the outbreak of the deplorable incident, assailed the residences of Viscount Goto, the Home Minister, and Mr. Yuasa, the Metropolitan Police Superintendent. The situation is extremely grave, and the atmosphere is pregnant with danger.

"Police Chiefs Resign"

Count Yamamoto, the Premier, proceeded to the Imperial Palace at 5.20 in the afternoon, and tendered the resignations of the Cabinet Ministers, who held themselves responsible for the incident, and are awaiting instructions from His Majesty. General Yamada, a Commander of the Gendarmes, Mr. Yuasa, the Metropolitan Police Superintendent, as well as the Chief of the Hibiya Police Station, who were directly responsible for the guard of the Imperial procession, will probably be relieved of their offices at their own request. The Governor and the Police Director of Yamaguchi Prefecture, where the would-be assassin had his lair, until he left three days previously also tendered informal resignations.

GENERAL NEWS SUMMARY

December 28. Prince Regent in Tokyo narrowly escapes assassin's bullet while proceeding to meeting of Diet.——Meeting of Anglicans and Romans in London lead to discussion of reunion of churches.——American crops in 1923 exceeded crops grown in 1922 by 839,000,000 according to figures, gathered by Department of Agriculture.——U.S. Navy Department begins active work on preparations for proposed flight to North Pole next summer.——Revolt in Mexico fails and order is beginning to be restored.

December 29. Exclusion of Japanese is demanded in U.S. Congress as increase of Japanese in America are a distinct menace.——M. Venizelos, Greece Premier is at last persuaded to return to Athens, after fleeing to Paris.

December 30. Official references are made in Washington and London to customs disputes in Canton describing antiforeign sentiment in South China.——Paris announces a French dirigible lost at sea, with a crew of more than 50.

December 31. New examination of Germany's finances by experts appointed by Reparations Commission, is being watched with scpeticism.——Details of new British Air Transport Company are published.

January 1. U. S. Ambassador Kellog arrives in London and states new and stronger relations should exist between Great Britain and U. S.——Washington report says U. S. government agrees to sell a quantity of war materials to Obregon government of Mexico.——Another British officer killed at Allahabad, India, when shot

H. H. Arnold Returns to China

H. H. Arnold, who until June of last year was connected with Andersen, Meyer and Company in the capacity of head of the engineering department, has returned to China after approximately two years spent in the United States. Mr. Arnold now expects to remain in China and to re-engage in the engineering profession. He is accompanied by Mrs. Arnold and their daughter, and will reside at No. 14 Avenue du Roi Albert, French Concession, Shanghai.

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New Books and Publications

The Enemies of Liberty, by E. S. P. Haynes, London: Grant Richards, 1923. 6s.

"Liberty," said Mr. H.G. Wells through the mouth of one of his characters, "is the very substance of the soul." That saying, supplemented by the dictum of an older philosopher that 'the price of liberty is unsleeping vigilance,' would have made an excellent epigraph for Mr. Haynes's excellently written book.

The 'Enemies of Liberty' whom he catalogues and dissects, the Modern Puritan, the Collectivist, the Communist, the Prohibitionist, the Prude, and the rest of them, are indeed all actively at work among us, and it is well that we should be reminded of their existence, and that exposure should be made of their aims, their methods, and of such measure of success as has been granted to their evil industry. But it may be doubted whether, singly or collectively, they are the terrible dangers Mr. Haynes proclaims them to be. Their little temporary triumphs are the measure of the public indifference, and public indifference in England has a disconcerting fashion of changing to active resistance, sometimes when the metamorphosis is least expected. The dominant desire of the average Englishman is to be let alone.

Mr. Haynes, toward the end of his book, tells an altogether delightful story, out of which he might have sucked more comfort than he seems to have derived from it. An Englishman, entering the bathroom of a country hotel, found on the wall the notice, 'Do Not Smoke in the Bath.' 'Good God!' remarked the Englishman, and promptly lit his pipe. He was a very typical Englishman, and his stock is not extinct. *From the Sunday Times.*

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Outline for the Study of Current History, Finance and Commerce of China

by

H. F. MacNair, Ph. D.

Professor of History and Government, St. John's University

This outline, primarily for the use of middle schools and colleges, is based upon the Review for last week. It is not intended that the whole of the outline be used but that those topics be selected that are found to be adapted to the class.

1. International Affairs

Topic 1: America and China

References: Pp. 157-9

Questions: 1. Give arguments from the point of view of some Americans why the Uuited States should have little to do with China. 2. Why would it be possible for the United States to pursue a policy of isolation in reference both to Europe and Asia? 3. What is the central thought of the editorial on Saying A Good Word For China? 4. Why do some foreigners as well as Chinese wish news that is favorable to China to reach America and Europe? What effect does it have upon trade conditions? 5. What does a reading of the headlines in most of the newspapers show as to conditions in this country now? 6. To what conclusion do you arrive on reading these editorials? Why?

Topic 2: A Question of Honor

References: Pp. 164,166.187

Questions: 1. What is the provenance of this article? 2. Who was Dewey and why did he sail into Manila Bay? 3. What was the attitude of President McKinley in reference to annexation of the Philippine Islands? 4. What is the origin of the name of these islands? 5. Tell what you can of the islands before they were annexed to the United States. 6. What is the Jones Law, and what is its object? 7. What was Senator Clarke's amendment? 8. What was Roosevelt's attitude toward giving independence to the Philippines? 9. What charges have recently been made in reference to the Filipino Independence Fund?

Topic 3: Affairs in Japan

References: P. 187

Questions: 1. Why has Dr. Wang gone to Japan? 2. What has been the attitude of the Japanese authorities on this matter? 3. What is the chief item of interest in Japan nowadays? 4. Name two political parties in Japan. How do they differ in their policies?

Topic 4: The Canton Customs Question

References: B 187

Questions: 1. What demands have been made by Dr. Sun in reference to the Canton Customs? 2. What are his main arguments? 3. In what way have the foreign powers expressed disapproval? Why? 4. Why has Dr. Sun cabled Mr. Ramsay MacDonald? Who is the latter? 5. Why should the Cantonese wish to start a boycott movement against the British and Americans?

Domestic Affairs

Topic 1: Sun Mei-yao, the Brigand General

References: P. 187

Questions: 1. How did "General" Sun meet his death? 2. Upon what charge was he assassinated? 3. Why is fear felt as a result of his death?

Topic 2: The Volunteer Corps in Kwangtung

References: Pp. 163-4

Questions: 1. What is the reason for the strengthening of the volunteer corps in Kwangtung? 2. Explain the reference to "overseas Chinese politicians." 3. Why do not the villages change their political organizations as rapidly as the provinces? 4. What is a Kuk? What is a Kuk-chang? Where is Pingti? 5. What are the advantages of having town and village military orgnnizations? 6. Is there any hope of their becoming Chinese Fascisti? Explain.

Topic 3: The Kwoh Min Tang

References: Pp. 168,170

Questions: 1. What can you say as to the early history of the Kwoh Min Tang? 2. What were the relations of this organization to Yuan Shih-kai? 3. On what grounds can this party claim to be the most progressive in China? 4. How does the writer think the Kwoh Min Tang can get into power?

3. Commerce and Finance

Topic 1: The Chinese in British Guiana

References: Pp. 161-163

Questions: 1. What kind of a country is British Guiana? 2. Why did Chinese first go there? 3. Why was there a need for them? 4. Tell the story of Hopetown. 5. What was the largest number of Chinese in British Guiana at any one time? 6. Why have not greater numbers gone there to reside? 7. In what trades and businesses are the Chinese there generally interested? 8. Why is Chinese immigration encouraged in this country?

Topic 2: Cotton in Kiangsu

References: Pp. 166, 168

Questions: 1. Analyse the first sentence of this article: Explain fully. 2. Why is it necessary to learn the amount of cotton annually raised in China? 3. What is the College of Agriculture of Southeastern University doing to foster cotton culture? 4. Along what lines is it working?

Topic 3: The Gov't Bureau of Economic Information

References; P. 160

Questions: 1. How old is this Bureau? 2. Why was it organized? By whom? 3, What is its scope? How far is its information disseminated? 4. What publications does it issue?

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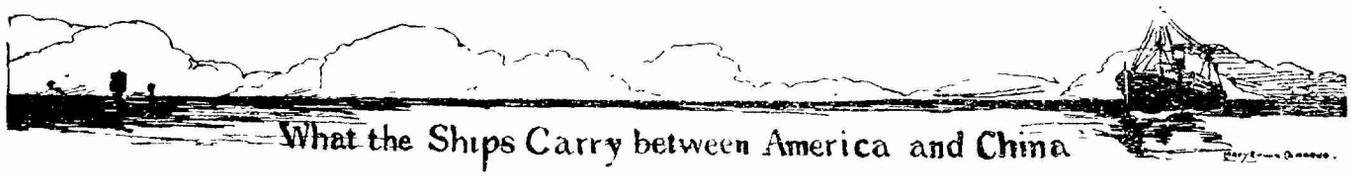

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(Continued from last week)

S. S. Stanley Dollar, November 28
From U. S. A.

Copper Sheets	Pls.	4
Iron Bar Croppings	,,	461
,, Bars	,,	841
,, Plates	,,	798
,, Wire Rope	,,	904
Iron, Galvanized:		
Wire Rope	,,	404
Zinc Dust	,,	200
Bleaching Powder	,,	237
Bones, Cow	,,	387
Borax, Refined	,,	84
Dye-stuff	,,	15
Grease	,,	14
Indigo Paste, Artificial	,,	5,103
Paint, Composition	,,	2
Raisins	,,	851
Soda, Caustic	,,	750
Stearine	,,	84
Tobacco, Leaf	,,	80
Wax, Paraffin	,,	599
Organs	Pcs.	14
Oil, Lubricating	Galls.	22,235
Turpentine, Mineral	,,	2,917

S. S. President Jackson, November 28.
From U. S. A.

Apples, Fresh	Pls.	369
Milk, Condensed	,,	1,837
Milk, Evaporated	,,	1,370
Bedsteads	Pcs.	117
Motor-cars	,,	15
Skins, Dog	,,	205
Canned Fish	Doz.	740
Cigarettes	Mille	97,800

S. S. Siberia Maru, December 3.

To San Francisco.

Silk Piece Goods	Pls.	1.38
Tea, Green:		
Gunpowder, Ningpo	,,	112
Gunpowder, other Ports	,,	11
Young Hyson, Other Ports	,,	90
Intestines, Sheep's, Salted	,,	8
Walnuts, in Shell	,,	357
Carpets	Hk. Tls.	2,776
Treasure, Gold Bars	,,	367,980

To St. Louis.

Tea, Green:		
Gunpowder, Ningpo	Pls.	295
Young Hyson, other Ports	,,	14

To Los Angeles.

Socks, Cotton	Doz.	100
Carpets	Hk. Tls.	141

To Lincoln.

Tea, Green:		
Young Hyson, other Ports	Pls.	23

To Newton.

Silk, Waste:		
Shanghai, Bls. 45	Pls.	149.72

To New York.

Silk Raw, Re-reeled:		
White other Ports, Bls. 50	,,	51
Bristles	,,	83
Carpets	Hk. Tls.	3,488

S. S. Storviken, October 9
From U. S. A.

Timber:

Softwood, Rough Hewn	Sup. ft.	694,104
,, Ordinary Sawn	,,	777,051

S. S. Takaoka Maru, December 5.

To San Francisco.

Oil, Wood	Pls.	412

To South Manchester.

Silk Cocoons, Domestic, Pierced:		
Shanghai Bls 49	,,	148.92

To Boston.

Wool, Sheep's	,,	584

To New York.

Tea, Black, Hankow	Pls.	24
Tea, Green:		
Gunpowder, Ningpo	,,	246
Cotton, Raw, Bls. 132	,,	452
Antimony Regulus	,,	3,276
Bristles	,,	92
Camphor	,,	200
Chinaware, Coarse	,,	15
Chinaware, Fine	,,	16
Egg Albumen, Dried	,,	117
Egg Yolk, Dried	,,	336
Feather, Duck	,,	85
Hair, Horse Tail	,,	54
Hair, Human	,,	109
Hides, Buffalo	,,	607
Nutgalls	,,	210
Oil, Dross	,,	318
Oil, Wood	,,	3,585
Seed, Sesamum	,,	756
Wool, Sheep's	,,	881
Hats, Rush	Pcs.	74,400
Carpets	Hk. Tls.	194

S. S. Empress of Russia, Dec. 1.

To St. Louis.

Tea, Green:		
Gunpowder, Ningpo	Pls.	163

To Baltimore.

Straw Braid, Mottled	,,	27

To Mount Carmel, Pa.

Silk, Raw, Steam Filature:		
White, Shanghai, Bls. 10	,,	10.01

To Newton.

Silk, Waste:		
Shanghai, Bls 42	,,	138.79

To Buffalo.

Silk, Raw, Steam Filature:		
White, Shanghai, Bls 30	Pls.	29.65

To Chicago.

Tea, Green:		
Gunpowder, Ningpo	,,	181
Umbrellas	Pcs.	800

To New York.

Silk, Raw, Re-reeled:		
White, Other Port, Bls 2	Pls.	1.90
Silk, Raw, Steam Filature:		
White, Shanghai, Bls. 345	,,	342.43
Yellow, Other Ports, Bls. 11	,,	10.83
Antimony Regulus	,,	672
Chinaware, Coarse	,,	48
Chinaware, Fine	,,	79
Hair, Human	Pls	60
,, Horse	,,	100
Intestines, Pigs', Salted	,,	10
Straw Braid, Mottled	,,	38
,, ,, White	,,	30
Hats, Rush	,,	3,000
Skins, Dog	,,	5,500
,, Kid	,,	1,850
,, Lamb	,,	4,208
,, Rabbit	,,	11,000
,, Raccoon	,,	547
,, Sheep	,,	2,800
Musk	Taels	141
Carpets	Hk. Tls.	601

S. S. Taiyo Maru, December 6.

Cotton, Raw, Bls. 500	Pls.	1,872
Barley	,,	1,425
Bleaching Powder	,,	375
Fruits, Fresh	,,	10
Milk, Evaporated	,,	977
Milk, Condensed	,,	900
Rosin	,,	96
Cigarettes	Mille	50,000

S. S. Kilcredane, December 5.
From U. S. A.

Cotton Goods, Unclassed	Yds.	1,413
Glycerine	Pls.	33
Indigo Paste, Artificial	,,	4,050
Leadfoil and Tinfoil	,,	118
Paints Unclassed	,,	4
Paper, Wax	,,	6
Paper, Unclassed	,,	2,405
Stearine	,,	1,650
Tobacco, Prepared	,,	1
Wax, Paraffin	,,	3,935
Oil, Lubricating	Galls.	25,473
Cigarettes	Mille.	72,525

S. S. President Pierce, October 26.
From U. S. A.

Bones, Cow	Pls.	451
Quebracho Extract	,,	260
Paper, Strawboard	,,	374
Treasure:		
Silver Bars	Hk. Tls.	1,583,722

Weekly Cotton Market Report

By A. B. Rosenfeld & Son

China Cotton:—The market has had rather a more active appearance during the past week and a further material advance has been established, with a more general interest on the part of the outside public which freely enlisted on the Bull side, while among the more professional element the improvement in values has induced the liquidation of a good deal of long cotton.

The demand for actual cotton has been very good indeed, the largest part of the demand coming from Japanese exporters and local mills. Arrivals in the meantime are falling off daily.

From the above, it will be seen that as far as the general outlook is concerned, we still consider a higher level of prices warranted by the legitimate surroundings, and more caution on the bear side than heretofore is necessary. Considerable buying has been the feature within the last forty-eight hours with little or nothing offering in the expectation of such contingencies, which is only tending to accelerate the recent advance if the world markets take their normal course.

Yarn:—The market has been quite firm during the past week, and prices advanced some four to five taels from last week's level. Some 7,000 to 8,000 bales of various counts and chops of local products have been bought up by Szechuen, Canton, Tientsin,, Swatow, Kiangse, Chefoo, Wuhu, Changsha, Fukien, and Hankow dealers, and over 4,000 bales direct business with the mills have been recorded.

Liverpool, December, 27, 1923.

Liverpool Market:—

Fully	Middling Spot	21.18	Pence
,,	,, January	21.13	,,
	,, March	21.04	,,
	,, Market:—*Strong.*		

New York, December, 27, 1923.

New York Market:—

January	35.51	Cents
March	35.93	,,
May	36.08	,,
July	35.17	,,
Oct.	29.17	,,
Spot	37.00	,,

Market:—*Firm.*

Bombay, December, 27, 1923.

Bombay Market:—

Broach, F. G. April/May,	Rps.	661	per Khandy
Fully Good Bengal, Dec./Jan.	,,	548	,, ,,
Fine Oomra, Dec./Jan.	,,	630	,, ,,

Market:—*Firm.*

Shanghai Market:—

Tungchow, Spot	Tls.	48.50
Shanghai, Spot	,,	44.00
M-ginned, Spot	,,	44.50
Taichong, Spot	,,	46 00
Shensi, No. 1 Spot	,,	47.50
Ningpo, Spot.	,,	42.00

Market:—*Firm.*

In The United States Court for China

(Established by Act of Congress of June 30, 1906.)

JUDGE, Charles S. Lobingier.
U.S. ATTORNEY, Leonard G. Husar.
U. S. COMMISSIONER, Nelson E. Lurton.
CLERK, William A. Chapman.

OFFICE HOURS 10-12; 2-4.

REPORTER, DEPUTY CLERK, R. T. PEYTON-GRIFFEN.

U. S. MARSHAL, DISBURSING OFFICER, } Thurston R. Porter.

DEPUTY MARSHAL, Wm. Van Buskirk.

PRISON PHYSICIAN, DR. T. B. Dunn.

TIENTSIN:

SPECIAL DEPUTY MARSHAL, Harry V. Fuller

All Notices, Announcements, Judgments, Orders and other Proceedings appearing in this department of THE WEEKLY REVIEW may be accepted as authentic.

MOTION DAY.

All contested motions and demurrers will hereafter be heard on Mondays, beginning at 3 P. M.; provided notice thereof with proof of service on the adverse party or his attorney shall have been filed in the clerk's office by 12 Noon of the preceding Saturday.

ADMISSION TO THE BAR.

Hereafter, applicants for admission to the bar of this court, whether previously admitted elsewhere or not, will be examined on the following:

1. International Law, 32 Corpus Juris.
2. Extraterritoriality, 25 Corpus Juris, 299-331.
3. Extraterritorial Cases.
4. Extraterritorial Remedial Code.
5. U. S. Rev. Stats., secs. 4083—4131 (Act of Congress of June 22, 1860, 12 U. S. Stats. at Large, Ch. 179.)
6. China Court Regulations.
7. Act of Congress of June 30, 1906 (34 U. S. Stats. at Large, Ch. 3934).

BAR EXAMINING BOARD: W. W. Blume, Roland S. Haskell, Walter Chalaire

Shanghai, China, January 2, 1923.

Minutes of Recent Proceedings

Hearings:

Dec. 24, 1923 Cause No. 2337, Thornett & Fehr v Viloudaki & Co; on defendant's motion to require plaintiff to elect between its alleged causes of action; submitted.

,, 24, ,, ,, ,, 2268, E. Henry v. Soochow Brick & Tile Co; on motion for commission to take testimony; deposition to be taken before Commissionor on December 31st and further testimony by stipulation of parties.

,, 24, ,, ,, ,, 1544, Emil S. Fischer v. Charles Stone et al.; on first intervenor's motion to approve bill of exceptions, etc.; submitted.

,, 24, ,, ,, ,, 2344, Kirkham v. Kirkham; on motion for judgment by default; testimony taken of A. Poppovitch; submitted.

,, 24, ,, ,, ,, 2343, Artindale v. Artindale; on motion for judgment by default; testimony taken of plaintiff, L. L. Wilson; submitted.

IN HIS BRITANNIC MAJESTY'S SUPREME COURT FOR CHINA

CHINA AND FAR EAST FINANCE AND COMMERCE v. CALDER

(continued from last week)

action of the defendant led to no breach of any contract between the plaintiffs and an advertiser.

The position has been variously named in the arguments but I think it comes to this: that the defendant has committed some actionable wrong by inducing or persuading the advertisers to do something to the actual detriment of the plaintiffs' business. That cause of action, whether in the old forms it was one on the case or not, is known as a definite tort under certain circumstances. It most commonly comes into the books under the trade union cases; but the general principle is that a man is entitled to the protection of the law in carrying on his business against improper interference with it. I quote from Lord Watson's speech in the leading case:[2]

> "There are in my opinion two grounds only upon which a person who procures the act of another can be made legally responsible for its consequences. In the first place he will incur liability if he knowingly and for his own ends induces that other person to commit an actionable wrong. In the second place, when the act induced is within the right of the immediate actor (as is the one under discussion before me now), and is therefore not wrongful in so far as he is concerned, it may yet be to the detriment of the third party; and in that case, according to the law laid down by the majority in *Lumley v. Gye*, the inducer may be held liable if he can be shown to have procured his object by use of illegal means directed against that third party."

That statement of the law has recently been adopted.[3] It is stated in more or less the same words in recent text books.[4] I am content to state it as a correct proposition of the law today. The question in every case is whether "unlawful means" have been employed and no doubt the usual instances are those of coercion, undue pressure etc. But I see no reason why unlawful means should be confined to matters such as these. The books[5] certainly name deceit or misrepresentation as determining factors in an action of this nature. And I cannot see any justice or equity in refusing a cause of action to a man who is actually harmed in his business by the action of another who makes a communication to a third party deceiving him as to its origin and leading to actual damage. I am aware that I can find no case in the books like this; but if a man for instance sends an abusive letter to a business house accompanied by documents that can rightly only come from some third party intending the recipient to believe that they did so come and damages thereupon result to him, it seems to me to be both justice and equity that protection should be afforded to the injured party. And that is exactly what happened here. The

2. Allen v. Flood 1898. A. C. 1.
3. Davies v. Thomas 1920. 1. Ch. 217 and 1920. 2. Ch. 19 (C. A.), Hodges v. Webb. 1920. 2. Ch. 70.
4. Halsbury's Laws; Pollock on Torts, and Jenk's Digest.
5. Pollock and Halsbury.

Dec. 28, 1923, Cause No. 2329, Asia Life Insurance Co. v. William R. Rice; on motion to dismiss; submitted.
" 31, " " " 2053, In re assignment of Cosmos Commercial Corporation; on motion for payment to H. Kliene; to be submitted to auditor.
" 31, " " " 2088, Chan Chang Shun v. C. Berthel & Co. Inc.; on motion for substitution of plaintiff.
" 31, " " " 2305, A. A. Tuomola et al v. E G. Hinde et al.; on motion to dismiss; submitted.
" 31, " " " 2355, Eisler v. Irons; on motion for judgment by default; testimony taken of plaintiff; submitted.

(Before the Commissioner)

Dec. 31 1923, Cause No. 2268, E. Henry v. Soochow Brick & Tile Co; deposition taken of plaintiff; continued

Judgments and Orders:

Dec. 24, 1923 Cause No. 2268, E. Henry v. Soochow Brick & Tile Co.; order for taking testimony before commissioner.
" 24, " " " 2344, Kirkham v. Kirkham; decree.
" 27, " " " 2306, Cadiz v. Cadiz; decree.
" 27, " " " 2337, Thornett & Fehr v. Viloudaki & Co.; order overruling defendant's motion for plaintiff to elect.
" 28, " " " 2357 } U. S. v. E. G. Hinde; 2359 } sentence.
" 28, " " " 2329, Asia Life Insurance Co. v William R Rice; order of dismissal.
" 28, " " " 1351, Nanyang Brothers Tobacco Co. v. Green Star S/S Co; judgment for plaintiff.

Assignments For Hearing:

Jan. 3, 1924, 9.30 a.m., Cause No 1486, Kiang v Kosel.
" 7, " 9.30 a.m., " No. 1506, The Fur & Wool Trading Co. (D. Biedermann) Ltd. v. Andersen, Meyer & Co. Ltd.

Miscellaneous Filings:

Dec. 24, 1923, Cause No. 2337, Thornett & Fehr v. Viloudaki & Co.; memorandum of authorities.
" 24, " " " 2367, Chinese-American Bank of Commerce v. F. A. Bowen; complaint; summons issued.
" 24, " " " 2329, Asia Life Insurance Co. v. William R. Rice; marshal's returns of subpoenas.
" 27, " " " 2337, Thornett & Fehr v. Viloudaki & Co.; exception to order.
" 27, " " " 2329, Asia Life Insurance Co. v. William R. Rice; praecipe for subpoena duces tecum; subpoena duces tecum issued; marshal's return of subpoena duces tecum.
" 27, " " " 2362, Nordisk Fjerfabrik, Ltd, v. Brewster & Co.; marshal's return of summons.
" 27, " " " 2367. Chinese-American Bank of Commerce v. F. A. Bowen; marshal's return of summons.

defendant sent this circular with the duplicate contracts hoping and intending the recipients to believe that they came from the plaintiffs. The recipients thought the circulars had come from the plaintiffs (see evidence on both sides) and in consequence they have acted to the damage of the plaintiffs. The tone of the circular was such that it was calculated to suggest to recipients that they should discontinue their advertisements which was the defendant's hope and wish; and I therefore hold that the plaintiffs have a cause of action here. If the defendant had acted openly and in his own name, the position might well have been different; but here he deliberately chose to adopt the other method and he must suffer accordingly.

The mere sending of the duplicate contracts was not unlawful or illegal, and the advertisers were fully within their rights in giving the notices they did. If the defendant had acted in his own name in sending these circulars I think no action could have been successfully brought against him for so doing. But he sent them anonymously, intending the recipients to think, as in fact they did think, that the plaintiffs had sent them. Is that deceit, the use of an unlawful or illegal means? Why not? It was the representation to the persons addressed of a fact, known to be false and intended to be acted upon.

The result of this is that the plaintiffs are entitled to damages for (1) the non-return of the documents and these seem to be nominal say $5 only and (2) an injunction (if of value) and damages in that the defendant by the use of unlawful means, namely deceit, intentionally interfered with their business whereby they suffered damage. Here the damages are on a different scale, though it is hard to see how I can

(Continued next week)

Dec, 27, 1923, Cause No 2053, In re assignment of Cosmos Commercial Corporation; notice of motion.
" 27, " " " 2020, Russo-Asiatic Bank v. M. Wulfsohn & Co.; commission to take depositions; deposition of A. W. Petroff.
" 27, " " " 2349, Hulse v. Hulse; marshal's return of summons.
" 28, " " " 2088, Chan Chang Shun v. C. Berthel & Co. Inc.; affidavit; motion for substitution of plaintiff; notice of motion.
" 28, " " " 2368, Sun Cho Chi v. W. C Dalby; complaint; summons issued.
" 28, " " " 2329, Asia Life Insurance Co. v. William R. Rice; motion to dismiss.
" 28, " " " 2360, V. Richter v. Theodore Tapia; demurrer.
" 28, " " " 2345, L. S. Wing v. Asia Banking Corporation; motion to set.
" 28, " Corp'n. " 153, The Associated Drug Co.; articles of incorporation.
" 29, " Cause " 1506, The Fur & Wool Trading Co. (D. Biedermann) Ltd. v Andersen, Meyer & Co. Ltd.; subpoena duces tecum issued.
" 29, " " " 2305, A. A. Tuomola et al, v. E. G. Hinde et al.; motion to set; motion for dismissal.
" 29, " " " 2355, Eisler v. Irons; motion for judgment by default.
" 29, " " " 2175, L. G. Husar v. Pacific Mail S/S Co.; motion of dismissal.
" 31, " " " 2366, Horace Law et al. v. Chas W. Corbaley; marshal's return of summons
" 31, " " " 2292, I. M. Burlakoff et al. v M. Wulfsohn & Co.; defendant's memorandum brief on motion to strike.
" 31, " " " 1378, American Sales Corporation v. U. S. Shipping Board et al; plaintiff's reply to amended answer.
" 31, " " " 1498, In re Grace L. Coppock's Will; final account.

(By the Commissioner)

Dec, 27, 1923, Civil No 146, H. Kunze & Co. v. V. Elliott; amended petition; answer.
" 28, " Spec. Pro. 41, In re estate of Watson W. Rich, deceased; petition.

Shanghai-Nanking Railway Abridged Time Table.

Shanghai North to Nanking—Up (Main Line) **Nanking to Shanghai North—Down.**

STATIONS	Local	Fast R.	Local	3rd & 4th Local	S N L T P L Express Mail	3rd & 4th	Local	S N L T P L Fast Express	Local	Fast Local	Local	Local	Night Express R S.	STATIONS	Local	Fast Local	Local	Local	Fast R	3rd & 4th Local	3rd & 4th	Fast R	Local	Local	Express R.	Local	T P L Mail	S N L Nights Express T P L Express
Shanghai North d.		7.00	7 15	7.35	9.30	9.50	12 10	12.30	15.25	17 15	17.45	19.35	23 30	Peking d											9.05	T P L Express	—	T P L Mail
Nansiang .. d.		7.28	7.45	8.03	—	10.31	12 41	12 58	16 01	17 47	18 13	20 05	0 02	Tientsin East a											—			
Soochow .. d.		8 59		9 41	11 14	12 53		14 43	18 24	19 39		—	1 39	Do d											13 00		14 35	9 35
Wusih ... d.	7 00	9.59		10.44	12.02	14 12		15 38	19 31	20 36		—	2 38	Tientsin Central a											—		—	—
Changchow .. d.	8.14	10 56		11.41	12 49	15 28		16 38		21 38		—	3 42	Do. d											13.20			10 06
Tanyang .. d.	9.30	11 52			13 38	16.28		17 38				—	—	Tsinanfu d.											21 57			19 58
Chinkiang ... d	10 31	12 49			14 22	17 34		18 33				—	5 14	Hsuchowfu d											6 51			6 00
Nanking ... a.	12 30	14 21			15.43	19 35		20 02				—	7 20	Pukow a											14 58			16 02
Pukow .. d.												8 50	10 00	Nanking d					7 40		8 10	11.05			15 50	16.15		23 00
Hsuchowfu ... d.												17 08	19 48	Chinkiang .. d					9 20		10 25	12 54			17 29	18 27		0.52
Tsinanfu .. d.												2 04	5 58	Tanyang d					9 57		11 21	13 36			18 03	19 26		—
Tientsin Central a												—	—	Changchow . d			7 10		10 59	12 00	12 44	14 32			18 57	20 46		2.41
Do. d.												10.15	15.32	Wusih .. d		7 20	8 22		11 59	13 02	14 07	15 33			19 43	21 52		3.53
Tientsin East . a.												—	15.42	Soochow .. d		8 21	9 39		12 54	14 02	15 25	16.31			20.32			4.58
Do. d.												10.25		Nansiang . d	8.15	10 33	11 34	13 00	14.33	16 03	17 45	18 18	18.40	20 35	—			6.26
Peking ... .. a												14.25		Shanghai North a.	8 42	11.00	12.05	13 30	15 00	16 30	18.20	18.45	19 13	21.05	22.00			6.50

T P L Express — S N L T P L Mail

Woosung Forts to Shanghai North—Up (Branch Line) **Shanghai North to Woosung Forts—Down**

Woosung Forts d	6 45	8 15	9 40	11 05	12 30	13 55	15 20	16 45	18 10	19 35	21 00	22 25	23 50	1 15	Shanghai North d	6 00	7 30	9 00	10 25	11 50	13 15	14 40	16 05	17 30	18 55	20 20	21 45	23 10	0 35
Kiangwan d	7 10	8 40	10 05	11.31	12 55	14 20	15 46	17 10	18 35	20 00	21 25	22 50	0 15	1 40	Tientungan d	6 05	7 35	9 05	10 30	11 55	13 20	14 45	16 10	17 35	19 00	20 25	21 50	23 15	0 40
Tientungan d	7 16	8 46	10 11	11 37	13 01	14 26	15.52	17.16	18 41	20 06	21 31	22 56	0 21	1 46	Kiangwan d	6 12	7 42	9 12	10 37	12 03	13 27	14 52	16 17	17 42	19 07	20 32	21 57	23 22	0 47
Shanghai North a	7 20	8 50	10 15	11 41	13.05	14.30	15 56	17 20	18 45	20,10	21 35	23 00	0 25	1 50	Woosung Forts a	6 35	8 06	9 35	11 00	12 25	13 50	15 15	16 43	18 05	19 30	20 55	22 20	23 45	1 10

R. Restaurant Cars. * These additional trains run each Saturday and Sunday. ♭ Sleeping Cars.

Shanghai-Hangchow-Ningpo Railway Abridged Time Table.

Down — Shanghai North-Zahkou (Main Line) — Zahkou-Shanghai North — Up

STATIONS	Fast Local	Express R.	2nd 3rd & 4th	Fast R.	Fast Local	Local	Local	Night Express R.	STATIONS	Local	Fast Local	Express R.	Local	2nd 3rd & 4th	Fast R.	Fast Local	Night Express R.
Shanghai North.....dep.	..	8.00	9.00	13.20	15.35	..	..	19.15	Zahkou ..... d.	..	..	7.15	..	8.40	13.20	15.05	18.00
Jessfield .....dep.	..	8.15	9.16	13.36	15.51	..	..	19.30	Hangchow ..... d.	..	..	7.40	..	9.15	13.50	15.35	18.25
Siccawei.....dep.	.	8.21	9.23	13.43	15.58	..	..	19.36	Changan ..... d.	..	..	8.29	..	10.45	15.00	16.50	19.14
L'hwa Junction .....dep.	.	8.35	9.40	14.00	16.15	..	..	19.50	Yehzah ..... d.	..		9.00	..	11.53	15.37	17.32	19.45
									Kashing ..... d.	..	7.15	9.39	..	12.50	16.24	18.10	20.24
Shanghai South ..... dep.		*8.05*	*9.05*	*13.25*	*15.30*	*.7 5*	*18.15*	*19.20*	Kashai ..... d.	..	7.39	10.02	..	13.26	16.52	..	20.46
Lunghwa Junction..... arr.	.	*8.23*	*9.23*	*13.43*	*15 43*	*17 33*	*18.33*	*19.33*	Sungkiang ..... d.	..	8.37	10.52	..	14.42	17.49	..	21.42
Sungkiang .....dep.	..	9.14	10.50	14.46	17.10	..	..	20.29	*Lunghwa Junction.. .....d.*	*8.5*	*9.37*	*11.37*	*13.52*	*16 07*	*18.42*	..	*22.27*
Kashai .....dep.	..	10.01	11.57	15.43	18.08	.	..	21.16	*Shanghai South .....a.*	*8.56*	*9.55*	*11.55*	*14 10*	*16 25*	*19.00*	..	*22.45*
Kashing.....dep.	7.05	10.31	12.40	16.16	18.30	..	..	21.46									
Yehzah .....dep.	7.45	11.02	13.32	16.56	-- -	..	..	22.17	L'hwa Junction .....d.	..	9.39	11.32	..	15.50	18.40	..	22.22
Changan .....dep.	8.31	11.36	14.23	17.40	----	..	..	22.51	Siccawei ....d.	..	9.49	11.40	..	15.59	18.49	..	22.30
Hangchow .....dep.	9.43	12.30	16.00	18.50	----	..	..	23.45	Jessfield .....d.	..	9.56	11.46	..	16.06	18.56	..	22.36
Zahkou .....arr.	10.05	12.45	16.30	19.10	----	..	..	24.00	Shanghai North.... ...a.	.	10.10	12.00	..	16.20	19.10	..	22.50

Konzenchiao-Zahkou (Kiangshoo Branch Line) Zahkou-Konzenchiao

Konzenchiao .....dep.	6.50	8.45	10.45	13.45	15.05	17.30	22.55
Kenshangmun .....dep.	7.05	9.00	11.00	14.00	15.20	17.45	23.10
Hangchow.....dep.	7.14	9.11	11.11	...	...	17.56	...
Zahkou.....arr.	7.32	9.30	11.30	...	...	18.15	...

Zahkou .....dep.	7.45	9.49	12.00	...	...	18.30	...
Hangchow .....dep.	8.06	10.11	12.21	14.20	15.51	18.51	23.51
Kenshangmun .....dep.	8.17	10.22	12.32	14.31	16.02	19.02	0.02
Konzenchiao.....arr.	8.30	10.35	12.45	14.44	16.15	19.15	0.15